

Central Jersey Legal Services, Inc.

BOARD OF TRUSTEES

Board Manual



Serving the civil legal needs of low income
residents of Central New Jersey

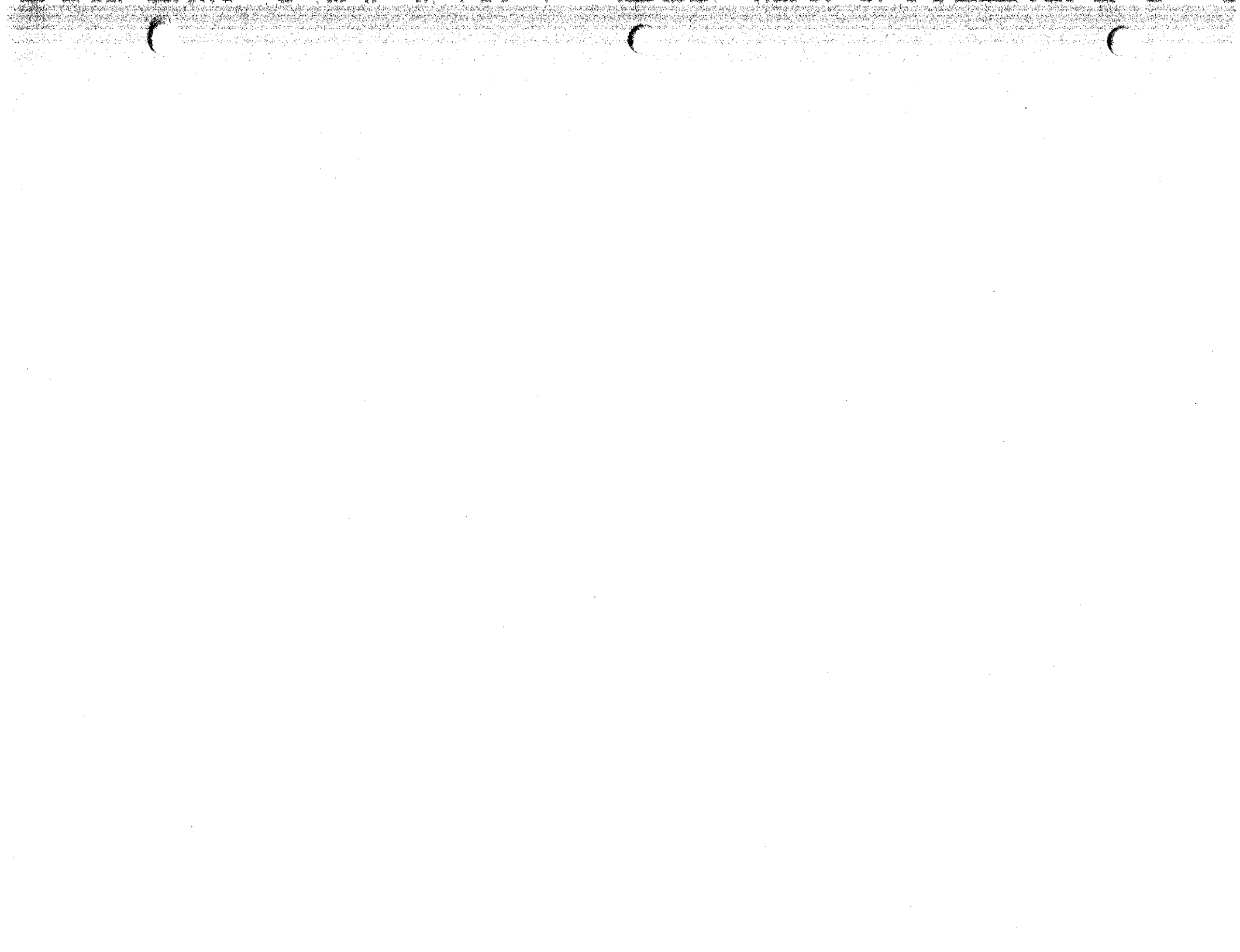


Table of Contents

1	History
2	Our Client Community
3	Articles of Incorporation
4	By Laws
5	Board Members
6	Board Committees
7	Program Offices
8	Organizational Chart
9	Priorities Statement
10	Case Acceptance Schedule
11	Policies
12	Funding Sources
13	Budget
14	Glossary
15	

HISTORY

Central Jersey Legal Services, Inc. (CJLS) was formed by the merger of the Legal Aid Society of Mercer County (LASMC), Middlesex County Legal Services (MCLS), and Union County Legal Services (UCLS) in January, 2003. Prior to the merger, the three parent programs had long histories of service to the low income population of Central New Jersey. The Legal Aid Society of Mercer County was founded in 1948 as a vehicle to channel the volunteer efforts of private attorneys. It evolved to a staff attorney model in the late 1960's with funding from the Office of Economic Opportunity (OEO) under President Johnson's "Great Society" initiative. Both Middlesex County and Union County Legal Services were founded under that program in 1966 and 1967 respectively.

In 1974, Congress authorized the development of the Legal Services Corporation (LSC), an independent Federal agency designed to serve as administrator and conduit for federal funding for legal services. The rationale for establishing a separate agency was to remove funding for legal services from the political arena. Since LSC continues to be governed by a Board of Trustees appointed by the President, the reality of political influence continued virtually unabated. That influence is most apparent in the debates that surround LSC's annual appropriation request. After a period of growth and expansion through the late 1970's, President Regan took office in 1981 with a vow to end federal funding for legal services. His efforts resulted in a 25% cut in federal funding, extensive staff reductions and consequent dramatic cuts in services. For example, LASMC went from a staff of 26 in 1980 to a staff of 13 in 1987 and caseload dropped from 3200 to 1450 in the same period. MCLS drastically reduced staffing in its Perth Amboy office from 7 employees to 2, and UCLS closed its Plainfield office.

In 1989 New Jersey legal service programs became the primary beneficiaries of New Jersey's new IOLTA funding. IOLTA (Interest on Lawyers Trust Accounts) programs had developed across the country in the late 80's as funding sources for legal services and New Jersey's program allocated 75% of IOLTA funds to legal services. These funds arise from interest gained on short term trust account deposits that would not normally result in a net interest amount due the client after bank fees are applied. Individually, they have virtually no value, but when all such accounts in the state are combined, the interest is significant. This funding salvaged New Jersey legal services and allowed some expansion from the mid 80's lows.

The IOLTA effort in New Jersey was spearheaded by Legal Services of New Jersey, the state legal service support center established by legal service program Directors in 1974 to coordinate fundraising and statewide advocacy efforts. In the 1980's and 1990's, LSNJ assumed a lead role in the fight for increased State and private funding

to offset federal cuts. With the establishment of IOLTA funding, LSNJ took on an additional role as Grant Administrator of IOLTA funds to field programs, allowing monitoring and oversight responsibilities. This role was considerably strengthened in 1996 when, after another large cut in LSC funding, the State Supreme Court authorized an increase in court filing fees to benefit legal services. LSNJ again headed this funding appeal and was charged with administering and monitoring grants to field programs. Between 1981 and 1996, federal funding for legal services in New Jersey had gone from being the largest funding source providing over 50% of overall funding to less than 20% of program funds.

Despite this reduction, the Legal Services Corporation strengthened its control of legal services through restrictions attached to the funding in 1996 which were applied to all program services, regardless of funding source. The more egregious of these restrictions prohibited services to persons who did not have lawful immigration status, prohibited class actions, restricted a program's right to request attorney's fees and restricted a program's ability to support advocacy efforts of other client community groups. Finally, in 2002, the Legal Services Corporation linked the continuation of funding to mandatory consolidation of field programs into larger regional programs.

In the last 35 years, the three programs forming CJLS provided advice and representation in civil legal matters to over 200,000 low income residents of Mercer, Middlesex and Union Counties. Program staff has been frequently acknowledged for their expertise in our primary specialty areas of housing, entitlements, family and consumer law and this knowledge has been a steady resource to both individual clients and other community agencies. In addition to individual representation, each office has developed an ongoing flow of community education to make both clients and agencies aware of changes in the law affecting the low income community.

CJLS is governed by a Board of Trustees made up of representatives of the private bar and client eligible residents in the following composition mandated by LSC: 60%, attorneys appointed by local Bar Associations; 33%, community residents financially eligible for program services; 7%, persons supportive of legal services. The CJLS Board has 30 members and representation is geographically set out such that each of the three counties has a presence on the Board in proportion to its share of the region's poverty population. Thus, Middlesex County has 12 representatives, Union County, 11 and Mercer, 7.

CJLS has four field offices in New Brunswick, Perth Amboy, Elizabeth and Trenton with administrative services being centralized in the New Brunswick office. The total staff of 66 (44 casehandlers) is apportioned among the four offices as follows: New Brunswick: 20 (9 CH); Perth Amboy 8 (6 CH) ; Elizabeth: 21 (17 CH); Trenton: 17 (12 CH). The location of each office corresponds with both the location of the County Seat and the concentration of the region's poverty population, thus enhancing access to services.

Our Client Community

The Central Jersey service area is a densely populated region mixing wealthy bedroom communities with large pockets of poverty within its urban centers. The three counties of Mercer, Middlesex and Union have a total population of over 1,500,000 and over 120,000 residents fall below federal poverty levels. Almost 50% of that poverty population is concentrated in the four cities of Elizabeth, New Brunswick, Perth Amboy and Trenton, the locations of CJLS field offices. While the poverty numbers are staggering, they are considerably more so when considered at 175% of poverty which is the cutoff for CJLS financial eligibility. The total region population eligible for CJLS services is 248,046.

The poverty population reflects the region's racial diversity but also records the disproportionate representation of minorities in poverty. Over 34% of the region's poor are White, over 30% are Hispanic and approximately 27% are African American. Of the overall population, over 63% are white, 15.5% are Hispanic, 15.5% are African American.

These statistics not only highlight the demand challenging the CJLS annual caseload of approximately 8,000 cases but also supports the need for multi-cultural and bi-lingual accessibility for our services. This need is particularly well met by the New Brunswick, Perth Amboy and Elizabeth offices, locales of the highest concentrations of our Hispanic population.

AMENDED AND RESTATED
BYLAWS
OF
CENTRAL JERSEY LEGAL SERVICES, INC.

Effective January 1, 2003

ARTICLE I
NAME AND INCORPORATION

Section 1. Name. The name of the corporation is **CENTRAL JERSEY LEGAL SERVICES, INC.** (the "Corporation").

Section 2. Purposes. The Corporation shall be a nonprofit corporation organized under the laws of the State of New Jersey and its purposes are exclusively charitable as set forth in the Amended and Restated Certificate of Incorporation of the Corporation.

Section 3. Offices of the Corporation. The principal office of the Corporation shall be at 78 New Street, New Brunswick, New Jersey, or such other location as the Board may from time to time determine, provided, however, that the Board maintains at least one neighborhood law facility in each of Mercer County, Middlesex County and Union County (collectively, the "Counties").

Section 4. Registered Agent and Registered Office. The Corporation shall have and shall continuously maintain in the State of New Jersey a registered office at 78 New Street, Third Floor, New Brunswick, New Jersey, and a registered agent whose name is Paul V. Mullin and whose office is identical with such registered office.

ARTICLE II
NO MEMBERS

The Corporation shall have no members. The trustees shall have all powers and duties for the conduct of the activities of the Corporation.

ARTICLE III
BOARD OF TRUSTEES

Section 1. Number. The Board of Trustees (the "Board") shall consist of at least three (3) but

no more than forty-five (45) trustees (each a "Trustee"). The current Board shall consist of thirty (30) trustees. The number of Trustees may be increased or decreased by amendment of these Amended and Restated Bylaws by the affirmative vote of two-thirds ($\frac{2}{3}$) of the entire number of Trustees then in office. The Board shall exercise all of the powers of the Corporation, subject to any conditions and limitations provided by the Amended and Restated Certificate of Incorporation of the Corporation, by these Amended and Restated Bylaws or by law. Each Trustee shall be at least eighteen (18) years of age.

Section 2. Powers. The Board shall have the powers and authority necessary for the management of the business, property and affairs of the Corporation, to do such lawful acts and things as it deems proper and appropriate to promote the objectives and purposes of the Corporation. The Board may delegate, as necessary from time to time, responsibility for such affairs, business and property to its officers and Trustees.

Section 3. Election and Terms. As of the adoption of these Amended and Restated Bylaws, the current Trustees are set forth in the Amended and Restated Certificate of Incorporation of the Corporation. There shall be thirty (30) Trustees, whom shall be broken down into three (3) groups of Trustees. Each group of Trustees shall be elected in accordance with the Legal Services Corporation Act (42 U.S.C. 2996f(c)) and Regulations (45 CFR 1607) (and to the extent 42 U.S.C. 2996f(c) and 45 CFR 1607 are amended, the Corporation shall take reasonable steps to amend these Amended and Restated Bylaws to comply therewith), as follows:

- i. Eighteen (18) Trustees shall be attorneys, to be appointed by the governing body of the Mercer County, Middlesex County, and Union County Bar Associations ("Bar Association Trustees"). The Bar Association Trustees shall include women and minority attorneys and reasonably reflect the population of each County. The number of Bar Association Trustees from each County shall be apportioned by the percentage of each County's poverty population to the total poverty population of the three (3) Counties. As of the adoption of these Amended and Restated Bylaws:
 - (A) six (6) representatives shall serve for a term of one (1) year expiring on December 31, 2003;
 - (B) six (6) representatives shall serve for a term of two (2) years expiring on December 31, 2004; and
 - (C) six (6) representatives shall serve for a term of three (3) years expiring on December 31, 2005.

Upon expiration of the terms of the Bar Association Trustees as stated above, Bar Association Trustees' terms shall be three (3) years.

- ii. Ten (10) Trustees shall be persons who are eligible to be clients when selected from, or designated by the appointing group or organization. Groups or organizations selecting client eligible Trustees ("Community

Organization Trustees”) shall be primarily composed of eligible clients or shall have as their primary purpose the furtherance of the interests of persons unable to afford legal assistance. The number of Community Organization Trustees from each County shall be apportioned by the percentage of each County’s poverty population to the total poverty population of the three (3) Counties. As of the adoption of these Amended and Restated Bylaws:

- (A) three (3) representatives shall serve for a term of one (1) year expiring on December 31, 2003;
- (B) three (3) representatives shall serve for a term of two (2) years expiring on December 31, 2004; and
- (C) four (4) representatives shall serve for a term of three (3) years expiring on December 31, 2005.

Upon expiration of the terms of the Community Organization Trustees as stated above, Community Organization Trustees’ terms shall be three (3) years.

- iii. Two (2) Trustees “at large” (“At Large Trustees”) shall be appointed by the Board and shall be persons interested in and supportive of legal services to the poor. As of the adoption of these Amended and Restated Bylaws:

- (A) one (1) representative shall serve for a term of one (1) year expiring on December 31, 2003; and
- (B) one (1) representative shall serve for a term of two (2) years expiring on December 31, 2004.

Upon expiration of the terms of the At Large Trustees as stated above, At Large Trustees’ terms shall be two (2) years.

Section 4. Qualifications. Prior to their appointment, all Trustees must be fully familiar with, and support without qualification, the goals of the Corporation and the national Legal Services program. These appointments must insure that the interests of all geographical areas of the Counties are adequately represented.

Section 5. Removal of Trustees. (a) Any Trustee may resign at any time by written resignation filed with the President of the Corporation.

(b) Any Trustee may be removed from office for “cause” by the affirmative vote of two-thirds (2/3) of the entire number of Trustees then in office exclusive of the Trustee whose removal is sought. The Trustee whose removal is sought shall have no right to attend or vote at the portion of the meeting of the Board at which his or her removal is considered and voted upon, but shall be entitled to attend and respond to the accusations against him or her made earlier during the meeting. For purposes of this Section, “cause” shall mean (i) misconduct or

conduct injurious to the Corporation as determined by the Board in its absolute discretion, or (ii) failure to attend any three (3) consecutive regularly scheduled meetings of the Board without being excused therefrom by the President.

Section 6. Vacancies. In the event that any Trustee shall resign, become deceased, or be removed, a replacement shall be appointed in the method used for his or her predecessor, as aforesaid, and shall serve in such position for the remaining period of time designated for his or her predecessor.

Section 7. Voting. Each Trustee shall have one (1) vote and voting shall not be done by proxy.

ARTICLE IV **MEETINGS OF TRUSTEES**

Section 1. Annual Meeting and Regular Meetings. Regular Meetings of the Board for the election of Trustees and officers and such other business as may come before the meeting shall be held at least quarterly throughout the year upon no less than ten (10) or more than sixty (60) days written notice of the time, place and purpose of the meeting at the principal office of the Corporation, or such other time and place as shall be specified in the notice of meeting. In addition, the Board will comply with the Legal Services Corporation Act (42 U.S.C. 2996f(c) and Regulations (45 CFR 1607.4(a)) (and to the extent that 42 U.S.C. 2996(f)(c) and 45 CFR 1607.4(a) are amended, the Corporation shall take reasonable steps to amend these Amended and Restated Bylaws to comply therewith). All meetings shall be public except as otherwise provided for in 42 U.S.C. 2996f(c) and 45 CFR 1607.4(a).

Section 2. Special Meetings. The President of the Corporation may, when he or she deems it expedient, and shall, upon the written request of five (5) Trustees of the Board, call a special meeting of the Board. Such meetings shall be held upon not less than two (2) days notice given personally or by telephone or by electronic mail, or upon not less than five (5) days notice given by depositing notice in the United States mails, postage prepaid. Such notice shall specify the time, place and purpose of the meeting. In addition, the Board will comply with the Legal Services Corporation Act (42 U.S.C. 2996f(c) and Regulations (45 CFR 1607.4(a)) (and to the extent that 42 U.S.C. 2996(f)(c) and 45 CFR 1607.4(a) are amended, the Corporation shall take reasonable steps to amend these Amended and Restated Bylaws to comply therewith). All meetings shall be public except as otherwise provided for in 42 U.S.C. 2996f(c) and 45 CFR 1607.4(a). No business shall be considered other than as designated in the notice, provided, however, if all Trustees are present at a special meeting, any and all business may be transacted at such meeting.

Section 3. Waiver of Notice; Adjournments. Notice of a meeting need not be given to any Trustee who signs a waiver of notice, whether before or after the meeting, or who attends the meeting without protesting, prior to the conclusion of the meeting, the lack of notice to such Trustee of such meeting. Notice of an adjourned meeting need not be given if the time and place

are fixed at the meeting adjourning and if the period of adjournment does not exceed ten (10) days in any one (1) adjournment.

Section 4. Action Without Meeting. Except in the case of any action to be taken pursuant to N.J.S.A. 15A:10-1 et seq. (merger, consolidation and sale of assets) of the New Jersey Nonprofit Corporation Act (the "Act") or in the case of amending these Amended and Restated Bylaws, the Board or any committee of the Board, if any, may act without a meeting if, prior or subsequent to such action, each Trustee or committee member, if any, shall be contacted and a majority shall consent thereto in writing. Written consent or consents shall be filed with the minutes and proceedings of the Board or committee, if any.

Section 5. Meeting by Telephone. The Board or a committee, if any, may participate in a meeting of the Board or such committee, if any, by means of a telephone conference call or any other means of communication by which all persons participating in the meeting are able to hear each other.

Section 6. Quorum. Thirty three percent (33%) of the entire Board shall constitute a quorum. A majority of the Trustees present at a meeting, whether or not a quorum is present, may adjourn a meeting to another time and place. Except as herein provided, and except as otherwise provided by law, the vote of a majority of the Trustees present at a meeting at which a quorum is present shall be the act of the Board. If the number of Trustees present shall decrease to less than a quorum, no further actions shall be taken at the meeting.

Section 7. Attendance. Attendance at Board meetings is expected. Trustees shall contact the President, Secretary or Executive Director (as defined in Article VII, Section 1) if they are unable to attend a meeting. Failure to attend three (3) consecutive meetings of the regularly scheduled Board meetings without the approval of the President shall constitute cause for removal of a Trustee.

ARTICLE V **OFFICERS**

Section 1. Title/Qualification. The officers of the Corporation shall include a President, Vice President, Secretary and Treasurer who shall be elected by the Board, and such other officers (the "Officers") whose positions shall be created from time to time by the Board to perform such duties as may be prescribed by the Board.

Section 2. Election. Each Officer shall be elected by the Board at the annual meeting of the Trustees and shall serve for a term of one (1) year and until such Officer's successor is elected and qualified. Officers may be elected for more than one (1) term, provided, however, that no Officer may serve for more than five (5) consecutive terms in the same office.

Section 3. Duties. The duties and authority of the Officers shall be determined from time to time by the Board. Subject to such determination, the Officers shall have the following duties and authority:

(a) **President.** The President shall have general responsibility over the affairs of the Corporation, subject, however, to the control of the Board and shall preside at all meetings of the Board and the Corporation. The President shall have the general powers and duties of management usually vested in the office of president of a corporation subject, however, to the control of the Board. Any vacancy in the office of the President, or during the President's absence or inability to act, shall be filled by the Vice President. The President shall also be the chair of the Executive Committee. Unless otherwise appointed to such committee, the President shall serve as an ex-officio non-voting member of all committees.

(b) **Vice-President.** The Vice-President shall perform the duties assigned to him or her from time to time by the President. In the absence of the President, the Vice President shall perform the duties of the President. If there is a vacancy in the presidency caused by death or resignation, the Vice President shall succeed to the office of the President. An absence in the office of the Vice President shall be filled by a member of the Board.

(c) **Secretary.** The Secretary shall cause all notices of all meetings of the Board, and of all committees, if any, to be duly issued in accordance with these Amended and Restated Bylaws and as required by law, and shall cause a record of the proceedings of same to be made and distributed to the Board prior to each Board meeting. The Secretary shall ensure the safe keeping of the minutes of the meetings of the Board and of the Corporation and shall attest to all official acts requiring certification with or independent of the President. Any absence in the office of the Secretary shall be filled by a member of the Board.

(d) **Treasurer.** The Treasurer shall authorize the care and custody of all funds of the Corporation and shall deposit, or cause to be deposited by authorized personnel, the same in the name of the Corporation in such bank or banks as the Corporation may select. All checks shall be signed and countersigned as designated by the Board. All such signatories shall give such bond in the faithful performance of their duties as the Corporation shall determine.

Section 4. Removal. Any Officer may be removed, with or without cause, by the Board. In addition, any Officer may be removed from office at the discretion of the Board if such Officer fails to attend in person or by telephone at least three (3) consecutive meetings of the Board.

ARTICLE VI **INTERESTS OF TRUSTEES AND OFFICERS**

No Trustee or Officer of the Corporation shall, during his or her tenure of office have any interest direct or indirect in any contract with the Corporation, nor shall any Trustee or Officer during his or her tenure of office be employed by the Corporation. All Trustees and Officers shall be deemed to be acting as individuals in the course of their work as Trustee or Officer and not as a representative or agent of any organization or group to which they belong or from which they were appointed.

ARTICLE VII **COMMITTEES**

Section 1. Committees and Appointments.

The President, in consultation with the Board, may at any time as he or she deems necessary appoint or remove, with or without cause, members and chairpersons to standing committees set forth in Section 2 of this Article pursuant to these Amended and Restated Bylaws. In addition to such standing committees, the President, in consultation with the Board, may form and appoint members to one (1) or more *ad hoc* committees to consider and make recommendations regarding matters of interest to the Board or abolish any such *ad hoc* committees, and give any *ad hoc* committee such powers and responsibilities as he shall, in consultation with the Board, determine. The members of such *ad hoc* committees shall include at least one (1) Trustee and, in addition to Trustees, may include members of bar associations, representatives of local agencies, government officials, and other interested persons. (The membership, including both Trustees and non-Trustees of all committees shall, to the extent feasible, reflect the proportion of Community Organization Trustees on the entire board.) Only the Executive Committee, acting in accordance with Article VII, Section 2(a) of these Amended and Restated Bylaws, shall have the authority to act on behalf of the Board or take any action that binds the Board

A majority of the members of each committee shall constitute a quorum for the transaction of business and the act of the majority of the committee members present at a meeting in which a quorum is present shall be the act of such committee. In the event of a vacancy in the chairperson, a Trustee shall fill the vacancy. Each committee shall consist of at least one (1) member from each of the Counties.

Actions taken at a meeting of any such committee shall be reported to the Board at its next meeting following such committee meeting, except that, when the meeting of the Board is held within two (2) days after the committee meeting, such report shall, if not made at the first meeting, be made to the Board at its second meeting following such committee meeting. A record of the report shall be included in the minutes of the Board meeting.

Section 2. Standing Committees. The following standing committees ("Standing Committees") shall initially be established:

- (i) Executive Committee;
- (ii) Finance Committee;
- (iii) Grievance Committee;
- (iv) Nominating Committee; and
- (v) Personnel Committee.

(a) **Executive Committee.** The Board shall have an Executive Committee ("Executive Committee") consisting of the Officers of the Corporation with the President as chairperson, and any additional Trustees appointed by the President. The membership of the Executive Committee shall be representative of the groups of Trustees comprising the entire Board. The Executive Committee shall act on behalf of the Board between meetings of the

Board. The Executive Committee shall have authority to bind the Board until the next meeting of the Board provided that:

- (i) a report of such action is provided to the Board with the notice of the next meeting;
- (ii) the action of the Executive Committee does not bind the Board beyond the date of the next scheduled meeting, unless the Board agrees to be so bound;
- (iii) the action of the Executive Committee does not make, alter or repeal any Bylaw of the Corporation;
- (iv) the action of the Executive Committee does not elect, appoint or remove any Officer of Trustee; and
- (v) the action of the Executive Committee does not amend or repeal any resolution previously adopted by the Board.

(b) **Finance Committees.** The Board shall have a Finance Committee ("Finance Committee") consisting of members who shall be appointed by the President. The members shall be selected from among the Trustees and Officers shall be representative of the groups of Trustees comprising the entire Board. The Finance Committee shall monitor the financial procedures and activities of the Corporation, and shall review and recommend to the Board the annual budget of the Corporation. The Finance Committee shall recommend to the Board the selection of the auditor of the Corporation. The Finance Committee shall meet with the auditor at the beginning and conclusion of the annual audit, and shall report the results of the audit to the Board within thirty (30) days of receiving such results. The Treasurer shall be the chairperson of the Finance Committee.

(c) **Grievance Committee.** The Board shall have a Grievance Committee ("Grievance Committee") consisting of members who shall be appointed by the President. The members shall be selected from among the Trustees and Officers shall be representative of the groups of Trustees comprising the entire Board. The Grievance Committee shall review complaints of clients or prospective clients concerning the denial, termination or provision of services as set forth in the policies adopted by the Board. The Committee will also hear grievances of employees pursuant to policies adopted by the Board. Membership on the Grievance Committee shall be proportionate to the composition of Community Trustees Organization and Bar Association Trustees.

(d) **Nominating Committee.** The Board shall have a Nominating Committee ("Nominating Committee") consisting of members who shall be appointed by the President. The members shall be selected from among the Trustees and Officers and shall be representative of the groups of Trustees comprising the entire Board. The Nominating Committee shall solicit and nominate At Large Trustees and present them to the Board for election. The Nominating Committee shall also nominate a slate of Officers each year at least one (1) of whom shall be from each of the

Counties and present them to the Board for election. Any other nominations may be taken from the floor during the annual meeting of the Trustees. Nominees for office positions must be Trustees. The Nominating Committee shall review appointments for Board membership to confirm appointees' interest in, and knowledge of, the delivery of quality legal services to the poor.

(e) **Personnel Committee.** The Board shall have a Personnel Committee ("Personnel Committee") consisting of members who shall be appointed by the President. The members shall be selected from among the Trustees and Officers and shall be representative of the groups of Trustees comprising the entire Board. The Personnel Committee shall advise and assist the Board in developing and carrying out personnel policies of the Corporation. The Committee shall also conduct an annual evaluation of the Executive Director (as hereinafter defined).

ARTICLE VIII **PERSONNEL**

Section 1. Executive Director. The Executive Director ("Executive Director") shall organize and administer the affairs and functions of the Corporation as directed by the President and the Board. He or She shall be responsible for supervision, maintenance and daily activities of the Corporation. The Executive Director shall give a bond for the faithful performance of his or her duties as the Corporation may determine, the cost of same to be borne by the Corporation.

The Executive Director shall be employed by the Corporation on a full-time basis and shall be an attorney admitted to the Bar of New Jersey or admitted to the Bar of a state other than New Jersey, provided, however, that such Executive Director be admitted to the Bar of New Jersey within twelve (12) months of his or her employment with the Corporation. The Executive Director shall not be permitted to handle, for compensation, legal matters outside the scope of his or her employment with the Corporation.

In the event that it becomes necessary to select a temporary Executive Director from amongst the Trustees of the Corporation, he or she shall serve without compensation, other than the payment of necessary expenses, and his or her vote as a member of the Board shall be suspended while serving as Executive Director. The prohibition against private practice shall not apply to such a temporary Executive Director.

Section 2. Additional Personnel. The Corporation shall employ such professional or non-professional personnel as is deemed necessary from time to time in the discretion of the Executive Director to pursue the purposes and exercise the powers, duties and functions of the Corporation.

ARTICLE IX **AMENDMENTS**

The Amended and Restated Bylaws of the Corporation may be altered, amended or repealed with the approval of a majority of all of the Trustees, however, no such amendment shall be adopted unless each Trustee is given written notice of any such Bylaw change not less than fourteen (14) days nor more than sixty (60) days prior to the meeting at which such change shall be proposed. The Secretary of the Corporation shall issue, or cause to be issued, notice of such proposed amendment. Such notice shall also be accomplished by the first class postage prepaid mailing to each Trustee or by handing such notice to each Trustee.

ARTICLE X **SEAL OF THE CORPORATION**

The seal of the Corporation shall be in the form of a circle and shall bear the name of the Corporation and the year of its organization.

ARTICLE XI **FISCAL YEAR**

The fiscal year of the corporation shall end on June 30th.

ARTICLE XII **INDEMNIFICATION OF TRUSTEES, OFFICERS AND CORPORATE AGENTS**

Section 1. Indemnification. The Corporation shall indemnify any person made or threatened to be made a party to any action or proceeding by reason of the fact that he or she is or was a Trustee, Officer, or agent of the Corporation or at the request of the Corporation served any other Corporation or any partnership, joint venture, trust, or other enterprise in any capacity, against judgements, fines, penalties, amounts paid in settlement and all reasonable expenses, including attorneys' fees, actually and necessarily incurred as a result of such action or proceeding, or in connection with any appeal therein, to the fullest extent granted pursuant to, or provided by, the Act as the same shall exist from time to time, and to the full extent otherwise permitted by law.

Section 2. Non-Exclusivity. The indemnification and advancement of expenses granted pursuant to, or provided by, this Article shall not be deemed exclusive of any other rights to which a Trustee, Officer, or agent seeking indemnification or advancement of expenses may be entitled under a resolution of the Board or by any agreement providing for such indemnification; provided, however, that no indemnification may be made to or on behalf of any Trustee, Officer, or agent if a judgment or other final adjudication adverse to the Trustee, Officer, or agent

establishes that he or she knowingly violated the law or his or her acts or omissions were not in good faith or in the best interests of the Corporation or resulted in receipt by the Trustee, Officer or agent of an improper personal benefit.

Section 3. Insurance. The Corporation shall have the right to secure and maintain insurance (with such coverage and in such amounts as are deemed appropriate by the Trustees) with respect to its indemnification obligations hereunder. The obligation of the Corporation to any Trustee, Officer or agent entitled to indemnification pursuant to this Article shall be assumed by the Corporation only to the extent such obligations are not fully satisfied by proceeds from any applicable insurance policy maintained by the Corporation or by the Trustee, Officer or agent in connection therewith.

Section 4. Effect of Amendments. Unless required by law, no amendment of the Act or other applicable law shall deprive any person of any right of indemnification which existed at the time of the act or occurrence for which such person seeks indemnification. Neither the amendment or repeal of this Article, nor the adoption of any provision in this Amended and Restated Bylaws inconsistent with this Article, shall eliminate or reduce the protection offered by this Article to a Trustee, Officer or agent of the Corporation or any other person in respect of any matter which occurred, or any cause of action, suit or claim, which but for this Article would have accrued or arisen prior to such amendment, repeal or adoption.

ARTICLE XIII **ADDITIONAL PROVISIONS**

Section 1. Dissolution. Upon dissolution, after payment of all debts, no part of the remaining assets may be distributed to any Trustee or Officer of the Corporation but shall be distributed in accordance with N.J.S.A. 15A:12-1 et seq. of the Act and in accordance with the requirements of funding sources, provided, however, that the distribution must be to another organization exempt under the provisions of Section 501(c)(3) of the United States Internal Revenue Code or any future federal tax code.

Section 2. Compensation. Trustees and Officers shall not receive any fee, salary or remuneration of any kind for their services in such capacities, provided, however, that Trustees and Officers may be reimbursed for reasonable expenses.

END OF BYLAWS

AMENDED AND RESTATED
CERTIFICATE OF INCORPORATION
OF

CENTRAL JERSEY LEGAL SERVICES, INC.
(formerly LEGAL AID SOCIETY OF MERCER COUNTY)

A New Jersey Nonprofit Corporation

WHEREAS, Union County Legal Services Corporation ("UCLS"), Middlesex County Legal Services Corporation ("MCLS") and Legal Aid Society of Mercer County (sometimes referred to as "LASM" and sometimes referred to as the "Corporation") are New Jersey nonprofit corporations organized to provide quality legal services to the poor.

WHEREAS, UCLS, MCLS and LASM deem it to be in the interests of each of UCLS, MCLS and LASM that, effective at 12:01 a.m. on January 1, 2003, UCLS and MCLS be merged with and into LASM under applicable New Jersey law (the "Merger").

WHEREAS, upon such Merger, the parties have agreed to amend and restate the Certificate of Incorporation ("Amended and Restated Certificate of Incorporation") of LASM, effective January 1, 2003, pursuant to that certain Plan and Agreement of Merger ("Plan and Agreement of Merger"); and

WHEREAS, pursuant to such Amended and Restated Certificate of Incorporation, the name of LASM shall change from "Legal Aid Society of Mercer County" to "Central Jersey Legal Services, Inc.", the registered agent of LASM shall change to Paul V. Mullin and the number of trustees of LASM shall change to thirty (30).

NOW, THEREFORE, in consideration of the promises and of the mutual covenants and agreements herein set forth and for the purpose of prescribing the terms and conditions of the Merger, the parties hereto agree as follows:

ARTICLE I
NAME

The name of the Corporation is "CENTRAL JERSEY LEGAL SERVICES, INC."

ARTICLE II
PURPOSE

This Corporation is organized exclusively for charitable purpose(s) within the meaning of Section 501(c)(3) of the Internal Revenue Code including for such purposes, the making of distributions to organizations that qualify as exempt organizations under

Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code. More specifically, the purposes for which this Corporation is organized are as follows:

1. To secure justice for and to protect the rights of the needy; to promote measures for their assistance, and to obtain the services of attorneys to further such purposes.
2. To undertake a comprehensive program which will provide legal services for the poor in Mercer County, Middlesex County and Union County (collectively, the "Counties") by maintaining at least one neighborhood law facility in each County which will enable the Corporation to cooperate with existing organizations working for similar objectives, and it shall undertake such other projects as are appropriate to achieve the goal of effective legal representation for the poor.
3. To provide the vehicle as well as the means and facilities for a method of attacking general problems of the poor which may be amenable to solution through use of law and legal institutions.
4. To undertake and encourage research and training programs in fields which particularly affect the poor and to educate the poor about their legal rights and responsibilities for the purpose of developing an awareness of possible legal problems and remedies available.
5. To provide a means for coordinating the legal services project with social and educational programs of other existing agencies in the Counties.
6. To promote and support a referral system in conjunction with County and other bar associations for the purpose of rendering *pro bono* assistance in appropriate cases.
7. To insure legal assistance to the poor in matters of advice, representation, litigation and appeals in all areas of responsibility, such as domestic relations, housing, consumer credit, consumer fraud and welfare problems.
8. To receive and administer grants from governmental agencies and/or private sources and, to the extent permitted by the terms of the grant or contribution, funds received by the Corporation shall be allocated among the Counties in proportion to the number of poor people in each County.
9. To accept, receive and hold money and other property, real or personal, whether the same be acquired by gift, devise, bequest or otherwise, and to make such disbursement and distribution thereof from time to time as may be determined best in the general interest of developing plans for social welfare, pursuant to the purposes aforesaid.
10. To exercise all powers of corporations formed under the Act which are necessary or convenient in order to accomplish the above described purposes.

ARTICLE III NO MEMBERS

The Corporation shall not have members.

ARTICLE IV TRUSTEES

The current trustees of the Corporation's Board of Trustees and their addresses are:

Sarah Crowley, Esq.	25 West Market St., P.O. Box 112 Trenton, NJ 08625-0112
Michael S. Powers, Esq.	247 Whitehorse Avenue Trenton, NJ 08610
Jon C. Martin, Esq.	997 Lenox Drive, Bldg. 3 Lawrenceville, NJ 08648
Michael G. Petrone, Esq.	300 Alexander Park, CN 5276 Princeton, NJ 08543
Richard Wegryn, Esq.	997 Lenox Drive, Bldg. 3 Lawrenceville, NJ 08648
Denise M. Forrester, Esq.	993 Lenox Drive, Bldg. 2 Lawrenceville, NJ 08648
Martha Reed	489 West State St., Apt. 404 Trenton, NJ 08618
Bruce H. Bergen, Esq.	123 N Union Avenue, Suite 202 PO Box 99 Cranford, NJ 07016
Robert Bourne, Esq.	382 Springfield Avenue Summit, NJ 07902
Eugene Rosner	1093 Raritan Road Clark, NJ 07066
Stephen Satkin, Esq.	382 Park Avenue Scotch Plains, NJ 07076
Valerie Camara, Esq.	PO Box 2000 Rahway, NJ 07065
Linda Ershow-Levenberg, Esq.	1093 Raritan Road Clark, NJ 07066

Demetrice Miles, Esq.	1515 Schley Street Hillside, NJ 07205
Beth Tishler, Esq.	652 Lawnside Place PO Box 2865 Westfield, NJ 07090
Peter Pierce	62 Burnside Avenue Cranford, NJ 07016
Rafael Rodriguez	920 North Broad Street Elizabeth, NJ 07206
Jules S. Littman, Esq.	100 Willowbrook Road – Building No. 1 Freehold, NJ 07728
Jeffrey C. Green, Esq.	838 Easton Avenue P.O. Box 5321 Somerset, NJ 08875
Arthur H. Miller, Esq.	96 Paterson Street New Brunswick, NJ 08901
James A. Tarella, Esq.	1576 Highway 130 North Brunswick, NJ 08902
Andrea Sullivan, Esq.	Box 5600 Woodbridge, NJ 07095
Martin Perez, Esq.	402 Livingston Avenue New Brunswick, NJ 08901
Ingrid Yurchenco, Esq.	172 A New Street New Brunswick, NJ 08901
Joyce Weinberg	242 South 6 th Avenue – 1-F Highland Park, NJ 08904

(i) Eighteen (18) trustees who shall be designated as Bar Association Trustees (as such term is defined in the Amended and Restated Bylaws of the Surviving Corporation) whose names and terms are as follows:

- (A) Six (6) Bar Association Trustees who shall serve for a term of one (1) year expiring on December 31, 2003.

Jon C. Martin, Esq.

Richard Wegryn, Esq.

Eugene Rosner, Esq.

Demetrice Miles, Esq.

Jules S. Littman, Esq.

Arthur H. Miller, Esq.

- (B) Six (6) Bar Association Trustees who shall serve for a term of two (2) years expiring on December 31, 2004.

Michael S. Powers, Esq.

Michael G. Petrone, Esq.

Stephen Satkin, Esq.

Jeffrey C. Green, Esq.

James A. Tarella, Esq.

Andrea J. Sullivan, Esq.

- (C) Six (6) Bar Association Trustees who shall serve for a term of three (3) years expiring on December 31, 2005.

Sarah Crowley, Esq.

Denise M. Forrester, Esq

Bruce H. Bergen, Esq.

Robert Bourne, Esq.

Martin Perez, Esq.

Ingrid Yurchenco, Esq.

(ii) Four (4) trustees who shall be designated as Community Organization Trustees (as such term is defined in the Amended and Restated Bylaws of the Surviving Corporation) whose names and terms are as follows:

(A) One (1) Community Organization Trustee who shall serve for a term of one (1) year expiring on December 31, 2003.

Joyce Weinberg

(B) Two (2) Community Organization Trustees who shall serve for a term of two (2) years expiring on December 31, 2004.

Martha Reed

Rafael Rodriguez

(C) One (1) Community Organization Trustee who shall serve for a term of three (3) years expiring on December 31, 2005.

Peter Pierce

(iii) One (1) trustee who shall be designated as At Large Trustees (as such term is defined in the Amended and Restated Bylaws of the Surviving Corporation) whose name and term is as follows:

One (1) At Large Trustee who shall serve for a term of one (1) year expiring on December 31, 2003.

Beth Tischler, Esq.

**ARTICLE V
ELECTION OF TRUSTEES**

The method for electing the trustees of the Corporation shall be as set forth in the Amended and Restated Bylaws of the Corporation.

**ARTICLE VI
AMENDMENTS**

The Amended and Restated Certificate of Incorporation of the Corporation may be amended upon the approval of the affirmative vote of two-thirds (2/3) of all of the trustees.

**ARTICLE VII
REGISTERED AGENT AND ADDRESS**

The name of the Corporation's current registered agent is Paul V. Mullin. The address of the Corporation's current registered office is 78 New Street, Third Floor, New Brunswick, New Jersey.

**ARTICLE VIII
DURATION**

The duration of the Corporation shall be perpetual.

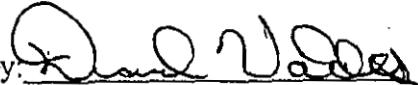
**ARTICLE IX
DISTRIBUTION**

Upon dissolution of the Corporation, after payment of all debts, the remaining assets of the Corporation shall be distributed as the Amended and Restated Bylaws may direct in accordance with law and in accordance with the requirements of funding sources; provided, however, that the distribution must be to another organization exempt under the provisions of Section 501(c)(3) of the United States Internal Revenue Code (or the corresponding provision of any future federal tax code) and organized and operated exclusively for charitable, educational, religious or scientific purposes. Any such assets not so disposed of shall be disposed of by a Court having jurisdiction in the State of New Jersey in the manner as the Court shall determine and to organizations operated exclusively for the aforementioned purposes.

**ARTICLE X
EFFECTIVE DATE**

This Amended and Restated Certificate of Incorporation is to be effective on January 1, 2003.

IN WITNESS WHEREOF, the Corporation has caused this Amended and Restated Certificate of Incorporation to be signed by David Valdes, its President, this 17th day of December, 2002.

By: 
Name: David Valdes
Title: President

Central Jersey Legal Services Board of Trustees Committees

The President, in consultation with the Board, appoints members to committees. The President also selects the chairperson of each committee, with the exceptions of the Executive Committee, which the President chairs and the Finance Committee which the Treasurer chairs.

The membership of all committees shall, to the extent feasible, reflect the proportion of Community Organization Trustees on the entire board.

A majority of the members of each committee constitutes a quorum for the transaction of business. An act of the majority of the committee members present at a meeting in which a quorum is present shall be the act of the committee. In the event of a vacancy in the chairperson, a Trustee shall fill the vacancy. Each committee shall consist of at least one member from each of the Counties.

Actions taken at a meeting of any committee is reported to the Board at the next Board meeting following the committee meeting.

The bylaws provide for five standing committees:

1. Executive Committee;
2. Finance Committee;
3. Grievance Committee;
4. Nominating Committee; and
5. Personnel Committee.

Executive Committee

The Executive Committee consists of the Officers of the Corporation and any additional Trustees appointed by the President. The President is chairperson of the Executive Committee. Only the Executive Committee has the authority to act on behalf of the Board or take any action that binds the Board, but that authority has the following limitations:

- (i) a report of the action must be provided to the Board with the notice of the next meeting;
- (ii) the action does not bind the Board beyond the date of the next scheduled meeting, unless the Board agrees to be so bound;
- (iii) the action does not make, alter or repeal any Bylaw of the Corporation;
- (iv) the action does not elect, appoint or remove any Officer of Trustee;
and
- (v) the action does not amend or repeal any resolution previously adopted by the Board.

Finance Committee

The Finance Committee assists the Board in fulfilling its responsibilities relating to accounting and reporting practices by maintaining a line of communication with the auditors of the Corporation and overseeing the financial management of the Corporation.

The Committee reviews and recommends to the Board the annual budget, monitors the financial procedures and activities of the Corporation, recommends to the Board the selection of the auditor of the Corporation, meets with the auditor at the beginning and conclusion of the annual audit, reports the results of the audit to the Board, and follows up on any reported weaknesses cited in the audit to ensure management has taken appropriate action.

Grievance Committee

The Grievance Committee reviews complaints of clients or prospective clients concerning the denial, termination or provision of services. The Committee can also hear grievances of employees pursuant to policies adopted by the Board. Membership on the Grievance Committee should be proportionate to the composition of Community Organization Trustees and Bar Association Trustees.

Nominating Committee

The Nominating Committee solicits and nominates At Large Trustees and presents them to the Board for election. The Nominating Committee also nominates a slate of Officers each year and presents them to the Board for election. The Nominating Committee shall review appointments for Board membership to confirm appointees' interest in, and knowledge of, the delivery of quality legal services to the poor. Jeffrey Green is the chairperson and Linda Ershow-Levenberg is a member of the Committee.

Personnel Committee

The Personnel Committee advises and assists the Board in developing and carrying out personnel policies of the Corporation. The Committee also should conduct an annual evaluation of the Executive Director.

***Ad hoc* Committees**

The President, in consultation with the Board, may also form and appoint members to *ad hoc* committees or abolish *ad hoc* committees. *Ad hoc* committees are formed to consider and make recommendations regarding matters of interest to the Board. The membership of *ad hoc* committees must include at least one Trustee and, in addition to Trustees, may include members of bar associations, representatives of local agencies, government officials, and other interested persons.

Program Offices

Central Jersey Legal Services, Inc.

Mercer County Division

198 West State Street
Trenton, NJ 08628
609-695-6249

Middlesex County Division

Main Office

317 George Street, Suite 201
New Brunswick, NJ 08901-2006
732-249-7600

Branch Office

313 State Street, Suite 308
Perth Amboy, NJ 08861-4117
732-324-1613

Union County Division

60 Prince Street, 2nd Floor
Elizabeth, NJ 07208-3269
908-354-4340

Administration Office

317 George Street, Suite 201
New Brunswick, NJ 08901-2006
732-249-7600

CENTRAL JERSEY
LEGAL SERVICES, INC.
Administrative

CENTRAL JERSEY LEGAL
SERVICES, INC.
Board of Trustees

Mullin, Paul V
Executive
Director

Budd, Patrick N
Deputy Director

Donnarumma,
Alfred
Director of
Litigation

Bennett, Richard
W
Deputy Director

Bennett, Richard
J
Deputy Director

Knispel, Susan J
Supervising
Attorney

Alghali, Batilly
Program
Manager

Chapin, Janice
Supervising
Attorney

Gale, Russell
Managing
Attorney

Chester, Gail
Supervising
Attorney

Picano, Susan D
Financial
Manager

Mukherjee, Tim
Financial
Administrator

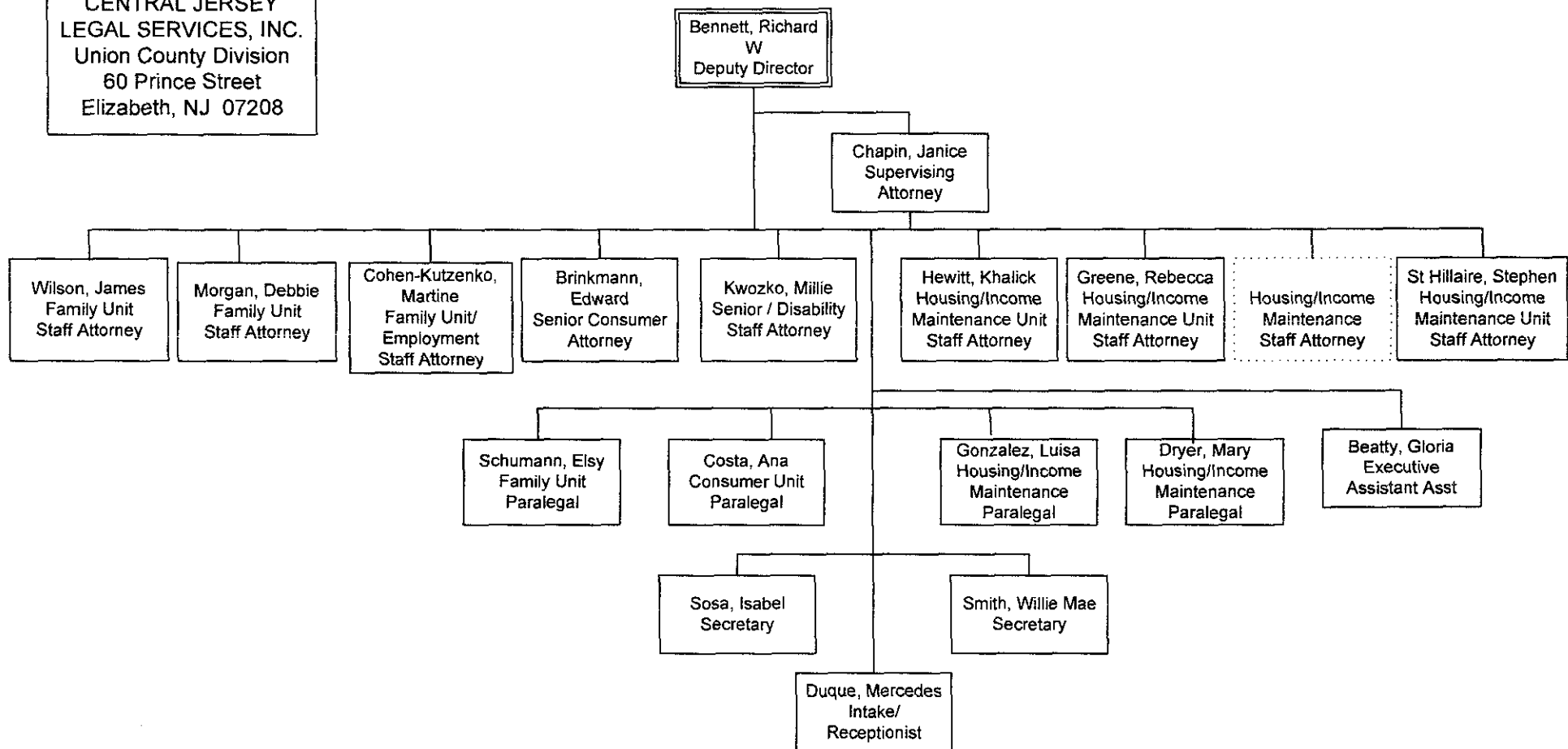
Cruz, Zaida
Bookkeeper

Randolph, Larry
Administrative
Secretary

Beatty, Gloria
Executive
Assistant Asst

Tarasiuk, Jeannine
Administrative
Secretary

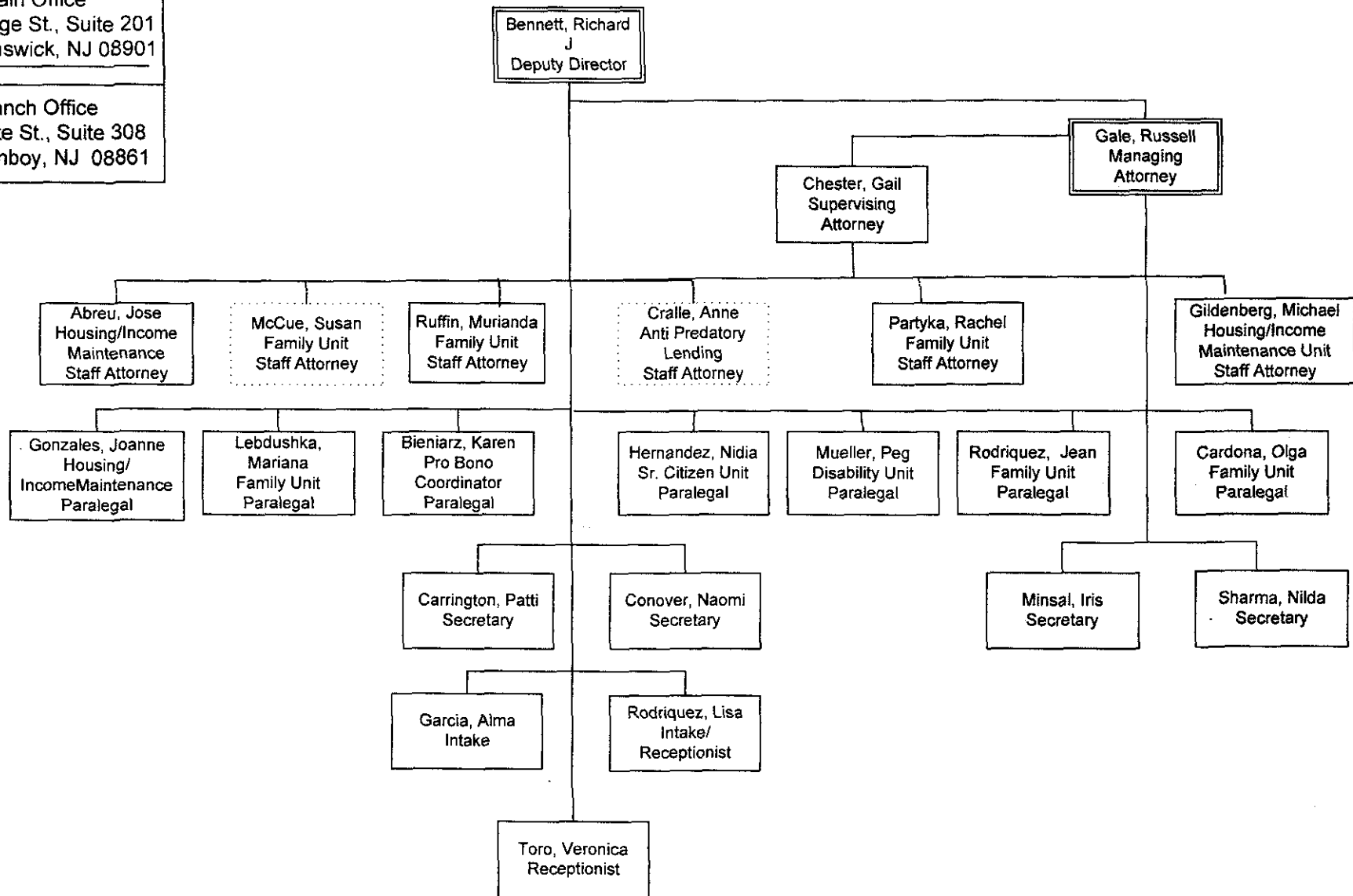
CENTRAL JERSEY
LEGAL SERVICES, INC.
Union County Division
60 Prince Street
Elizabeth, NJ 07208



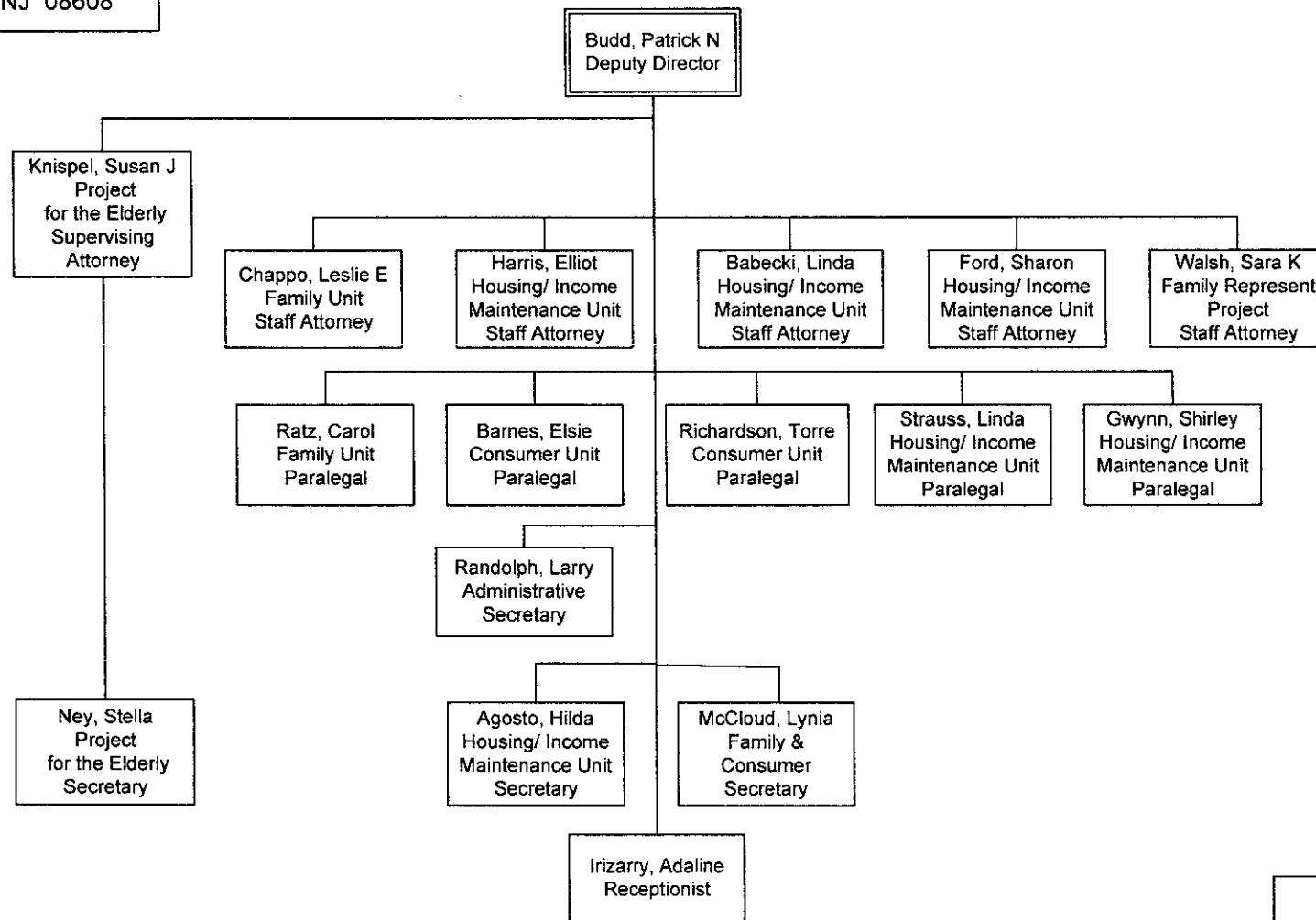
CENTRAL JERSEY
LEGAL SERVICES, INC.
Middlesex County Division

Main Office
317 George St., Suite 201
New Brunswick, NJ 08901

Branch Office
313 State St., Suite 308
Perth Amboy, NJ 08861



CENTRAL JERSEY
LEGAL SERVICES, INC.
Mercer County Division
198 West State Street
Trenton, NJ 08608



2004

STATEMENT OF PRIORITIES

As a recipient of funding from the Legal Services Corporation, Central Jersey Legal Services, Inc. is required to adopt, and review annually, a statement of priorities that sets forth the cases and matters that it will undertake. The priorities set forth below are priorities intended to comply with the requirements of the Legal Services Corporation.

Pursuant to Section 504(a)(9), P.L. 104-134, 110 Stat. 1321 (1996), and regulation 45 C.F.R. 1620, the Board of Central Jersey Legal Services, Inc. hereby sets the following specific priorities regarding the types of matters and cases to which staff is authorized to devote time and resources. These decisions have been made following the procedure specified in 45 C.F.R. 1620.3(b) and after careful consideration of the factors enumerated in 45 C.F.R. 1620.3(c).

Central Jersey Legal Services, Inc. shall continue to maintain the high level of professionalism it has exhibited throughout its history and the history of its predecessor organizations in delivering legal assistance to its client community. It shall also, to the extent reasonable and possible, maintain its record of offering a full range of legal services.

This statement of priorities does not indicate that assistance or activity will be undertaken in every one of the indicated areas, or that a particular case or matter which falls within one of the areas will be accepted. Even though a case or matter may fall within these stated priorities, it is important to recognize that many factors may cause Central Jersey Legal Services to limit further the cases or matters undertaken at any given time. Such factors include but are not limited to available funding, staff time, and other resources; whether there has been a request for activity or assistance in a particular area; the degree of urgency or importance presented by a particular situation; the time that would be required; the expertise and experience of available staff; changes in law or policy affecting the rights of parties; and the strength of a particular claim. Judgments concerning many of these factors frequently will have to be made by Central Jersey Legal Services staff on a matter-by-matter or case-by-case basis, although where more general patterns or policies develop, they may be articulated in more general case or matter limitation or acceptance statements.

Support for Families.

It is a priority of Central Jersey Legal Services to safeguard, preserve and/or improve the integrity, safety and well-being of the family. The Program is authorized, therefore, to provide services in family law as well as access to health care and/or health care insurance and the proper and thorough education of children and adults.

Preservation of the Home.

All of the factors mentioned in the prior paragraph (integrity, safety and well-being) are threatened by the loss or uninhabitability of the home. It is a priority of Central Jersey Legal Services, Inc. to preserve the home, and enhance housing opportunities. The program is authorized, therefore, to provide services in such areas as, but not limited to, avoiding loss of the home, improving conditions therein and ameliorating dangerous or negative environmental conditions in the home or neighborhood.

Maintenance of Economic Stability.

Loss or substantial reduction of income or assets can lead to loss of the home and the eventual break-up of the family. It is a priority of Central Jersey Legal Services, Inc. to maintain economic stability. The program is authorized, therefore, to provide services in areas such as, but not limited to, protecting against the loss or reduction of a family's income, source of income, its assets or its ability to produce income, assistance in obtaining new or substitute income, or assistance in clearing a family's credit record or debts.

Support for the Client Community.

The client community relies on Central Jersey Legal Services as its resource for legal assistance and comes to Central Jersey Legal Services with a full range of legal problems. It is important for Central Jersey Legal Services, in its continuing assessment of the legal needs of its clients, to be aware of the legal problems its clients encounter, and, whenever possible, to at least provide clients with information, referral or brief advice that may, with a minimal use of resources, provide some assistance even though further services will not be provided unless the problem falls within the priorities set forth herein. Therefore, it is a priority of Central Jersey Legal Services to provide information, referral or brief advice to the client community, including but not limited to community legal education and materials and pro se advice and assistance.

Organizations and groups within the client community also strive to improve the lives of clients and may require legal assistance in furtherance of their work. It is a priority of Central Jersey Legal Services to provide services to such organizations or groups.

Support for Individuals and Special Populations.

While the foregoing addresses families, organizations and groups, Central Jersey Legal Services will not exclude those living alone and/or outside a family context. Assistance to such individuals, in all priority areas, is as important to societal well-being as assistance to families and will be dispensed without discrimination to individuals.

Service to populations with special vulnerabilities shall also be rendered where reasonable and/or necessary. Such populations, whether families or individuals, include, but are not limited to, the elderly, the homebound, the disabled, those who face barriers to participation in society because of language, cultural or educational differences, racial and ethnic minorities, and those with other special problems which cause difficulty in access to legal assistance or create special legal needs.

Other Contributions to the Delivery of Program Services.

In addition to the foregoing, it is a priority of Central Jersey Legal Services to engage in other activities which further delivery of legal assistance to the client community. These authorized activities include, but are not limited to in-person community legal education; operating pro se clinics or otherwise supporting pro se activity; providing information or engaging in other outreach about Legal Services or the availability of legal assistance; developing written or other community legal education materials; intake, advice and referral in other than program cases; intake, referral, follow-up, support, recruitment and development for private attorney involvement in legal assistance activities; participating in the development and carrying out of training, information dissemination, or other support for other Legal Services work, including preparation of desk manuals, casehandling protocols, client service and procedure strategies, and similar items; receiving training, continuing legal education, or other forms of relevant information and support relevant to legal assistance activities; supervision of program work, services, and activities; ongoing reading and other efforts to keep in touch with relevant substantive and procedural legal developments affecting legal assistance to low-income people; and other relevant activities.

Prohibition.

No employee of Central Jersey Legal Services shall accept and/or handle a case or matter which is not within these priorities, except in accordance with the procedure established by the Board of Directors for the handling of emergencies and entitled "Emergency Cases or Matters."

**CENTRAL JERSEY LEGAL SERVICES, INC.
IS FUNDED BY:**

THE LEGAL SERVICES CORPORATION

THE STATE OF NEW JERSEY:

DIVISION OF MENTAL HEALTH SERVICES
DIVISION OF YOUTH & FAMILY SERVICES
DEPARTMENT OF TREASURY

THE UNITED WAY OF CENTRAL JERSEY, INC.
THE UNITED WAY OF GREATER UNION COUNTY
THE UNITED WAY OF MERCER COUNTY
THE UNITED WAY OF WESTFIELD
THE UNITED WAY OF SUMMIT, PROVIDENCE & BERKLEY HEIGHTS

THE IOLTA FUND OF THE BAR OF NEW JERSEY

MIDDLESEX COUNTY DEPARTMENT OF HUMAN SERVICES
UNION COUNTY DEPARTMENT OF HUMAN SERVICES

MERCER COUNTY DIVISION ON AGING
MIDDLESEX COUNTY OFFICE ON AGING
UNION COUNTY DIVISION ON AGING
(TITLE III OF THE OLDER AMERICANS ACT)

MIDDLESEX COUNTY DEPARTMENT OF HEALTH
UNION COUNTY DEPARTMENT OF HUMAN SERVICES
(TITLE I OF THE RYAN WHITE ACT)

THE CAMPAIGN FOR JUSTICE

THE CITY OF ELIZABETH

Part 3

PROGRAM POLICIES

<u>POLICIES</u>	<u>SOURCE</u>	<u>DATE ADOPTED</u>	<u>DATE REVISED/ REVIEWED</u>
Outside Employment	45 CFR 1604	1/23/03	
Appeals	45 CFR 1605	1/23/03	
Employee Political Activity	45 CFR 1608	1/23/03	
Fee Generating Cases	45 CFR 1609	1/23/03	
Use of Funding	45 CFR 1610	1/23/03	
Client Eligibility	45 CFR 1611	3/19/03	3/31/04
Lobbying and Certain Other Activities	45 CFR 1612	1/23/03	
Representation of Clients in Criminal Proceedings	45 CFR 1613	3/19/03	
Actions Collaterally Attacking Criminal Convictions	45 CFR 1615	3/19/03	
Attorney Hiring	45 CFR 1616	3/19/03	
Class Actions	45 CFR 1617	3/19/03	
Enforcement Procedures	45 CFR 1618	3/19/03	
Disclosure of Information	45 CFR 1619	3/19/03	
Priorities	45 CFR 1620	9/17/03	
Client Grievance Procedure	45 CFR 1621	3/19/03	
Non Discrimination	45 CFR 1624	9/17/03	
Legal Assistance to Aliens	45 CFR 1626	9/17/03	
Subgrants and Dues	45 CFR 1627	9/17/03	
Redistricting	45 CFR 1632	9/17/03	
Representation in Certain Eviction Proceedings	45 CFR 1633	9/17/03	
Identification of Clients	45 CFR 1636	9/17/03	
Representation of Incarcerated Persons	45 CFR 1637	9/17/03	
Solicitation of Clients	45 CFR 1638	9/17/03	
Welfare Reform	45 CFR 1639	9/17/03	
Attorney Fees	45 CFR 1642	9/17/03	

<u>POLICIES</u>	<u>SOURCE</u>	<u>DATE ADOPTED</u>	<u>DATE REVISED/ REVIEWED</u>
Assisted Suicide	45 CFR 1643	9/17/03	
Disclosure of Case Information	45 CFR 1644	9/17/03	
Child Abuse	NJSA 9:6-8.10 & RPC 1.6		
Sexual Harassment	LSC Grant Assurance # 8	12/18/90	
Conflict of Interest	DYFS P8.05		
Drug Free Workplace			

1/23/2003

POLICY ON OUTSIDE EMPLOYMENT

It is the policy of Central Jersey Legal Services, Inc. ("Program") that all full-time employees shall devote their primary energies and attention to their Program duties. In pursuit of that objective, the following policy on outside employment applies.

I. DEFINITIONS

- A. *Full-time employee* - any person whose Program work hours normally total 15 or more per week.
- B. *Outside employment* - provision of services, whether compensated or uncompensated, to a person, group of persons, partnership, corporation or other entity, who (or which) is not being provided with those services as an eligible Program client, and which services are not being provided to the Program directly.
- C. *Practice of law* - the traditional provision of direct legal assistance to a client; this does not include, among other things, casual advice, teaching, consulting or the performance of evaluations.
- D. *Normal work hours* - 8:30 A.M. to 5:30 P.M. (inclusive), Monday to Friday.

II. PROHIBITED ACTIVITIES

No full-time employee of the Program may engage in outside employment activities unless such activities are in accord with the provisions of this written Policy.

III. ATTORNEYS AND THOSE AUTHORIZED TO PRACTICE LAW

A. Practice of law:

1) Compensated:

No compensated outside practice of law is permissible without the written approval of the Program Executive Director, and then only in the following circumstances:

- a) the attorney is newly employed, has a professional responsibility to close cases from a previous law practice, and does so as expeditiously as possible; or
- b) the attorney is acting pursuant to court appointment made under a court rule or practice of equal applicability to all attorneys in the jurisdiction, and remits to the Program all compensation received.

2) Uncompensated:

No uncompensated outside practice of law is permissible unless one of the following applies:

- a) the attorney is acting pursuant to an appointment made under a court rule or practice of equal applicability to all attorneys in the jurisdiction; or
- b) the attorney is representing himself/herself, a close friend or family member; or
- c) the attorney is representing a religious, community or charitable group or other non-profit organization.

3) Non-practice of law:

There are no restrictions on an attorney's activities which do not constitute the practice of law so long as such are not inconsistent, and do not interfere, with the attorney's full-time responsibilities to the Program; however, no compensated services shall be performed for persons who are eligible for the same services through the Program, nor shall compensated services of any kind be performed for existing Program clients.

IV. NON-ATTORNEYS

There are no restrictions on a non-attorney's outside employment so long as such is not inconsistent, and does not interfere with the employee's full-time responsibilities to the Program; however, no compensated services shall be performed for persons who are eligible for the same services through the Program, nor shall compensated services of any kind be performed for existing Program clients.

V. GENERAL PROVISIONS

- A. No outside employment activities, whether compensated or uncompensated, may be engaged in by any employee while at work and during normal office hours, without the specific written approval of the Program Executive Director.
- B. While engaged in permitted outside employment activities, a Program attorney shall make it clear that he/she is functioning as an individual and not in his/her capacity as an employee of the Program, unless the activity engaged in is pursuant to court appointment as referred to in Sections III.A.1(b) and III.A.2(a), in which event the attorney continues to function in his/her Program capacity.

1/23/2003

CENTRAL JERSEY LEGAL SERVICES, INC.

POLICY AND PROCEDURE FOR REVIEW OF APPEALS

- A. **"Appeal"** is defined as any request for review that is filed from a decision of any court, tribunal, or administrative agency, to any appellate court.
- B. **Approval**
 - 1) Prior to the filing of any appeal on behalf of an eligible client, the attorney in charge of the matter shall consult with the Director of Litigation, a Deputy Director, or the Executive Director, for purposes of review and approval.
 - 2) The review to be conducted shall take into account the following:
 - a) is there sufficient merit and likelihood of success so as to justify the allocation of resources required;
 - b) are the goals sought to be achieved for the client and/or the low income community as a whole of sufficient import so as to justify the allocation of resources required;
 - c) would the appeal promote the goals of Central Jersey Legal Services, Inc. and give due consideration to priorities;
 - d) are there alternative means of achieving the desired result for the client which would negate the necessity of appeal;
 - e) are there monetary costs involved with the appeal that would exceed the Project's capability to fund.
 - 3) In reaching a determination on the approval or disapproval of an appeal, significant weight shall be afforded to the opinion of the attorney presenting the matter, and under no circumstances will approval be denied where to do so would constitute an interference with the professional responsibilities of the attorney to the client.

- 4) If a request to file an appeal is denied, and if the presenting attorney believes that this disapproval does interfere with his/her professional responsibilities to the client, the matter shall be reviewed by a five (5) member panel consisting of the Executive Director or a Deputy Director chosen by the Executive Director, the Director of Litigation, one CJLS Trustee chosen by the President of the Board of Trustees, the presenting attorney, and one Program staff attorney chosen by the presenting attorney. If the panel determines that the decision interferes with the professional responsibilities of the presenting attorney to the client, the appeal shall be approved. If no such infringement is found, the original determination shall be affirmed. The decision of the panel is final and no further review shall be had.

- C. The procedure set forth herein applies only to appeals that are taken to an appellate court; it does not apply to appeals taken to an administrative tribunal (e.g. the New Jersey Office of Administrative Law; the Social Security Appeals Council; the U.S. Veterans Administration Board of Veterans Appeals; the New Jersey Department of Labor and Industry Board of Review, etc.) and no Executive Director approval is necessary to proceed with such.

CENTRAL JERSEY LEGAL SERVICES, INC.
POLICY ON EMPLOYEE POLITICAL ACTIVITY

It is the policy of Central Jersey Legal Services, Inc. ("Program") that all resources will be utilized to provide quality legal assistance and not to support or promote political activities or interests. To this end, no political test or qualification will be employed in reaching any decision, taking any action, or performing any function. Further, the Program will not contribute or make available any funds or equipment to any political party or association, or to the campaign of any candidate for public or party office, or for use in advocating or opposing any ballot measure, initiative or referendum.

No employee of the Program may intentionally identify the Legal Services Corporation (LSC) or the Program with any partisan or non-partisan political activity or with the campaign of any candidate for public or party office.

No attorney employed by the Program may, during his or her working hours, engage in any political activity, provide voters with transportation to the polls, provide similar assistance in connection with an election, nor engage in any voter registration activity; further, no Program employee may use the funds or resources provided by LSC or the Program for any such activities. In addition, no employee may intentionally identify or encourage others to identify LSC or the Program with the above activities. No attorney employed by the Program, more than 1/2 of whose annual professional income is received from the Program, shall at any time:

1. Use official authority or influence for the purpose of interfering with or effecting the result of an election or nomination for office, whether partisan or non-partisan;
2. Directly or indirectly coerce, attempt to coerce, command or advise an employee of LSC or of the Program to pay, lend, or contribute anything of value to a political party, or committee, organization, agency or person for political purposes;
3. Be a candidate for partisan elective public office.

Nothing contained in this Policy is intended to prohibit any Program attorney from providing any form of legal assistance to an eligible client, or to interfere with the fulfillment of any attorney's professional responsibilities to a client.

CENTRAL JERSEY LEGAL SERVICES, INC.

POLICY ON PROVIDING REPRESENTATION

IN FEE GENERATING CASES

Purpose

This Policy is adopted to ensure that Central Jersey Legal Services, Inc. does not use scarce resources for cases where private attorneys are available to provide effective representation, and to assist eligible clients in obtaining appropriate and effective legal assistance.

Definition

A "fee-generating case" means any case or matter which, if undertaken on behalf of an eligible client by an attorney in private practice, reasonably may be expected to result in a fee for legal services from an award to a client from public funds or from the opposing party. It does not include a case where (1) a court appoints the Program or a Program employee to provide representation in a case pursuant to a statute, court rule or practice equally applicable to all attorneys in the jurisdiction, or (2) the Program undertakes representation under a contract with a government agency or other entity.

Statement of Policy

The Program shall not provide legal assistance in a fee-generating case unless:

- A) the case has been rejected by the local lawyer referral service, or by two private attorneys; or
- B) neither the referral service nor any lawyer will consider the case without payment of a consultation fee; or
- C) the client is seeking benefits under Title II or Title XVI of the Social Security Act; or
- D) The Program, after consultation with appropriate representatives of the private bar, has determined that the type of case is one that private attorneys in the area served by the recipient ordinarily do not accept, or do not accept without prepayment of a fee; or

- E) The Executive Director, or a Deputy Director, has determined that referral of the case to the private bar is not possible because:
- (i) Documented attempts to refer similar cases in the past generally have been futile;
 - (ii) Emergency circumstances compel immediate action before referral can be made, but the client is advised that, if appropriate and consistent with professional responsibility, referral will be attempted at a later time; or
 - (iii) Recovery of damages is not the principal object of the client's case and substantial statutory attorneys' fees are not likely to be available.

CENTRAL JERSEY LEGAL SERVICES, INC.

POLICY ON USE OF FUNDING

It is the policy of Central Jersey Legal Services, Inc. that all income received through contract or grants be used for services consistent with the contract or grant under which it is received and all applicable laws and regulations.

Funds received by Central Jersey Legal Services, Inc. shall not be used for purposes prohibited by the LSC Act, Section 504 of the FY1996 LSC appropriations act (Pub. L. 104-134, 110 Stat. 1321(1996)), or supporting regulations except that:

Central Jersey Legal Services, Inc. may receive public or IOLTA funds and use them in accordance with the specific purposes for which they were provided, if the funds are not used for any activity prohibited by or inconsistent with Section 504.

Central Jersey Legal Services, Inc. may receive private funds and use them in accordance with the purposes for which they were provided, provided that the funds are not used for any activity prohibited by the LSC Act or prohibited or inconsistent with Section 504.

Central Jersey Legal Services, Inc. may use non-LSC funds to provide legal assistance to an individual who is not financially eligible for services under LSC regulation (45 CFR 1611), provided that the funds are used for the specific purposes for which those funds were provided and are not used for any activity prohibited by the LSC Act or prohibited by or inconsistent with Section 504.

Central Jersey Legal Services, Inc. shall provide to all funding sources, except for receipt of contributions of less than \$250.00, written notification of the prohibitions and conditions which apply to the funds.

CENTRAL JERSEY LEGAL SERVICES, INC.

POLICY ON CLIENT ELIGIBILITY

I. Purpose and Applicability

The purpose of this policy is to establish criteria to ensure that Central Jersey Legal Services, Inc. gives preference to the legal needs of those residents of the service area least able to obtain legal assistance.

II. Definitions

- A. Income: all monies currently and regularly received, from any source, on an annual basis, before deductions, except:
1. food or rent, in lieu of wages is excluded;
 2. self-employment income is counted only after deducting the expenses incurred in generating that income.
 3. transfer payments, such as food stamps, rental assistance, or Medicaid are excluded as they cannot be used to obtain legal services.
- B. Countable income: total income of all resident members of a family unit who are actually contributing, and making available the totality of their income, to that unit. In establishing the income of an individual who is a victim of domestic violence, only the income of the individual shall be considered.
- C. Resident members of a family unit: those persons regularly residing together in a single dwelling unit and functioning as a single family or economic entity.
- D. National Eligibility Level (i.e. the "NEL"): 125% of the Federal poverty line.
- E. National Absolute Ceiling (i.e. the "NAC"): 150% of the NEL.
- F. Liquid assets: assets which consist of, or which can readily and promptly be converted into, cash in hands; this includes savings and checking accounts, certificates of deposit, treasury bills, negotiable paper, and corporate stocks and bonds.
- G. Non-liquid assets: all assets which are not liquid assets.
- H. Countable assets: all non-excluded assets of all resident members of a family unit, to which the person seeking assistance has access for the purpose of utilization in securing a private attorney in the matter in question. In establishing the assets of an individual

who is a victim of domestic violence, only the assets of the individual shall be considered.

III. Eligibility

A. Income:

1. Having given the consideration to the resources of the Program, the local client population, the availability and cost of private attorneys in the area, and the local cost of living, the Program adopts the NEL as the level of countable income over which eligibility for services provided with LSC funding is generally not established. The eligibility level for services provided with IOLTA and State funding is set at 175% of the poverty level, and persons receiving means-tested public assistance (TANF, GA, SSI, Food Stamps, Medicaid) are eligible without regard to income. The eligibility level for services provided with Ryan White funding and Anti Predatory Lending Project funding is up to 200% of the poverty level.
2. An individual seeking assistance who exceeds the NEL (for purposes of LSC eligibility) but whose countable income does not exceed 187.5% of poverty, or who exceeds 175% of poverty (for purposes of IOLTA and State eligibility) but whose countable income does not exceed 200% of poverty, may still be considered for eligibility based upon one or more of the following factors:
 - a) current income prospects, taking into consideration seasonal variations in income;
 - b) medical expenses;
 - c) child support payments paid for children not in the household;
 - d) payments made on a regular basis to pay fixed debts;
 - e) child care, transportation and other expenses necessary for employment;
 - f) expenses associated with age or physical infirmity of resident family members;
 - g) other significant factors related to financial inability to afford legal assistance;

If after taking the above factors into consideration the individual's remaining household income falls below 175% of poverty, the individual may qualify for IOLTA funded services. If after taking those factors into consideration the individual's remaining household income falls below 125% of poverty and the gross household income is below the NAC, the individual may qualify for LSC funded services.

3. An individual seeking assistance who exceeds the NAC, may still be considered

for LSC eligibility if that individual's countable income is primarily committed to medical or nursing home expenses.

4. If an exception to eligibility is made under section 2 or 3 above, the rationale underlying that exception must be set forth in writing and placed in the client's file; further, the Program must maintain a separate central file which shall reflect how many exceptions are granted and the rationale for each. This central file shall contain no individual client identification of any kind.

B. Assets:

1. An individual seeking assistance from the Program may not have countable liquid assets in excess of \$ 3,500.00.
2. An individual seeking assistance from the Program may not have aggregate countable liquid and non-liquid assets in excess of \$ 10,000.00.
3. In fixing a value of an asset, the concept of net equity value will be employed; that is the asset's value will be fixed at that amount of cash which the seller will realize in hand after the satisfaction of all liens and expenses of sale.
4. The following assets are to be excluded entirely and are not to be considered in determining an individual's eligibility:
 - a) real estate utilized as a principal residence;
 - b) work related equipment which is essential to the production of income and which is being utilized for the production or attempted production of same;
 - c) one ordinary motor vehicle per licensed driver in the household;
 - d) all ordinary wearing apparel;
 - e) all ordinary household furnishings;
 - f) all monies being retained which relate directly to the legal issue on which the individual seeks representation, which monies must be protected in order to preserve the individual's legal rights (e.g. unpaid rent being withheld by a tenant; back mortgage payments being held by a mortgage, etc.);
 - g) any assets which because of its condition, location unique nature, or inaccessibility cannot be liquidated or utilized as security for a loan, or to secure the advance of legal services without cash payment;
 - h) net cash surrender value of life insurance policies up to a maximum of \$3,000.00;

- i) any and all insurance policies owned by an individual who is 60 years of age or more, by an institutionalized or by a handicapped individual in meeting his/her daily needs and functions;
 - j) any and all specialized equipment utilized by an individual who is 60 years of age, or more, by an institutionalized or by a handicapped individual in meeting his/her daily needs and functions;
 - k) any and all specialized equipment used by an individual for medical or health purposes;
 - l) current monthly income not yet expended but necessary for the satisfaction of current monthly expenses or debts.
5. The Executive Director of the Program may, in unusual or extremely meritorious situations, waive the asset ceilings set forth above. If a waiver is granted, the written rationale for same shall be placed in the client's file. The Program shall maintain a separate central file which shall reflect how many such waivers are granted and the rationale for each shall be set forth. This file shall contain no individual client identification of any kind.

C. Additional factors:

- 1. For all persons whom the Program tentatively determines it is going to serve, the following additional factors must be considered prior to representation:
 - a) current income prospects, taking into account seasonal variations;
 - b) availability of private legal representation at low cost in the particular matter;
 - c) consequences to the person if assistance is denied;
 - d) existence of countable assets in excess of the asset ceiling;
 - e) other significant factors.
- 2. For all persons whose countable income is less than the NEL whom the Program tentatively determines it is not going to serve because of the factors listed in 1 above, the additional factors listed in section III, A., 2 must be considered prior to rejection.

D. Group Representation:

The Program may provide representation to a group, corporation or association using LSC funds if it is primarily composed of persons eligible for assistance. The Program may provide representation to a group, corporation or association using IOLTA funding if its purpose is to primarily benefit low-income people. Information must be provided

which shows that the group lacks, and has no practical means of obtaining, funds to retain private counsel.

IV. Procedure

A. Intake:

1. The Program must adopt a simple form and procedure for determining eligibility, which must be in a form that promotes trust between the attorney and client.
2. All information obtained on the intake forms must be preserved for inspection by LSC in a manner that protects the identity of the client.
3. If there is a substantial reason to doubt the accuracy of the information provided at intake, the Program shall make appropriate inquiry as to the accuracy of the eligibility information, consistent with the attorney/client relationship.

B. Retainer:

1. Every client receiving legal assistance from the Program must sign a Retainer, unless the assistance is limited to brief advice and consultation.
2. The Retainer must be signed when representation commences, unless emergent circumstances prevent same, in which case it is to be signed as soon thereafter as is practicable.
3. The Retainer must:
 - a) identify the relationship between the client and the Program;
 - b) identify the matter in which representation is sought;
 - c) specify the nature of the services to be provided;
 - d) specify the rights and responsibilities of the client.
4. A signed Retainer shall be made a part of every client's file and shall be made available for LSC review in a manner which will protect the client's identity.

C. Confidentiality:

1. Eligibility information furnished by a client to the Program cannot be disclosed to anyone outside the Program in a way that would identify the client without the client's written consent, except as set forth below.
2. At LSC's request, the Program must provide client eligibility information to it when:

- a) LSC is investigating the eligibility of a previously identified client; and
 - b) the information relates solely to that client's eligibility; and
 - c) specific allegations have been made with reference to that client; and
 - d) the information is not protected by the attorney/client privilege.
3. Prior to providing any information pursuant to section 2 above, the Program must provide written notification to the client.
4. Any eligible information received by LSC may not be divulged by it to anyone but its employees.

V. Change in circumstances

If a client becomes ineligible for the Program's services during a time when representation is being provided, due to a change of circumstances, and if the change is likely to continue so as to allow the client to afford private counsel, representation shall be discontinued unless to do so would be inconsistent with the attorney's professional responsibility. If representation is to be discontinued, such shall be done in an orderly fashion providing the client sufficient time to secure new counsel.

Nothing contained herein shall require the Program to discontinue representation of a current client based on ineligibility which results solely from the change of eligibility standards reflected in this new policy statement, and the Program may continue that specific representation to its conclusion.

VI. Annual Review

These guidelines on eligibility shall be reviewed annually by the Program's governing body.

Policy on Lobbying and Other Activities

The purpose of this policy is to prohibit the Program and its employees from engaging in general agency rulemaking activities, legislative lobbying activities, and other training or organizational activities unrelated to specific client representation, designed to influence agency or legislative action.

A. Prohibited legislative and administrative activities.

1. Unless specifically permitted herein, no Program employee may use Program resources to engage in any activity designed to influence:
 - a) the passage or defeat of any legislation or constitutional amendment;
 - b) any initiative, referendum, or similar procedure of Congress, a State legislature, a local council, or any similar governing body acting in a legislative capacity;
 - c) any legislative provision appropriating funds to, or governing the functions or authority of, the Program or the LSC;
 - d) the conduct of oversight concerning the Program;
 - e) any rulemaking, or the issuance, amendment or revocation of any executive order.
2. No Program funds may be used for any personal service, advertisement, telegram, telephone call, letter, printed or written matter, administrative expense, or other expense, associated with any prohibited activity set forth in 1. above.

B. Prohibited grassroots lobbying.

1. The Program shall not engage in any activity, or expend any funds, designed to influence the public at large to contact public officials to support or oppose pending or proposed legislation, regulations or executive decisions.
2. Nothing contained herein prohibits the Program from providing information that reports the content and status of pending or proposed legislation, regulations or executive decisions, and the effect of same on clients or their representatives.

C. Permitted activities using any funds.

The Program may engage in the following activities using any funds available:

1. provide representation to an eligible client in an administrative proceeding that adjudicates particular rights, and in related negotiations prior to or during litigation;
2. initiate and participate in litigation challenging agency rules, regulations, guidelines or policies, unless otherwise prohibited by law or LSC regulations;
3. communicate with a government agency to obtain information regarding its rules, regulations, practices or policies;
4. inform clients, other programs, or attorneys representing eligible clients about new or proposed laws, executive orders or administrative regulations;
5. communicate with LSC for any purpose;
6. participate in bar association meetings and committees, so long as no Program funds are used for any prohibited activity and the Program is not identified with any such activities engaged in by the bar association;
7. advise the client of the client's right to communicate directly with an elected official;
8. participate in activity related to the judiciary, including promulgation of court rules, rules of professional conduct and disciplinary rules.

D. Permitted activities using only non-LSC funds.

The Program may engage in the following activities using only non-LSC funds:

1. Respond to a written request from a government agency or official, an elected official, a legislative body, committee or member thereof, made to the Program or a Program employee, to:
 - a) testify orally or in writing;
 - b) provide information, including analysis of or comments on existing or proposed rules, regulations or legislation, or drafts of same;
 - c) testify before or make information available to commissions, committees, or advisory bodies;
 - d) participate in negotiated rulemaking under the Negotiated Rulemaking Act of 1990, or comparable State or local laws.
2. Responses to requests as set forth in 1. above may go only to the party or parties making the request or to other parties to the extent that such is necessary to comply with the request.
3. No Program employee may solicit or arrange a request from any official to testify or provide information in connection with legislation or rulemaking.
4. Copies of all written requests and written responses as referred to above must be maintained by the Program and must be made available to monitors and other representatives of LSC on request.

The Program may also engage in the following activities using non-LSC funds:

1. provide oral or written comment to an agency and its staff in a public rulemaking proceeding;
2. contact or communicate with or respond to a request from, a State or local government agency, legislative body, committee, or member thereof, regarding funding for the Program, including a pending or proposed legislative or agency proposal for funding.

E. Public demonstrations.

While engaged in Program activities, no employee may participate in any public demonstration, picketing, boycott, or strike, except as permitted by law in connection with the employee's own employment situation, nor may the employee encourage, direct or coerce others to do so.

No employee may, at any time, engage in any rioting, civil disturbance, activity in violation of a valid court injunction, or other illegal activity that is inconsistent with an employee's responsibilities under applicable law, LSC regulations, or the rules of professional responsibility of the jurisdiction where the Program is located or the employee practices law, nor may the employee encourage others to do so.

Nothing contained herein prohibits a Program attorney from:

1. informing and advising a client about legal alternatives to litigation or the lawful conduct thereof; or
2. taking such action on behalf of a client as may be required by professional responsibility or applicable law of any State or other jurisdiction.

F. Training.

The Program may not support or conduct training programs that:

1. advocate particular public policies; or
2. encourage or facilitate:
 - a) political activities
 - b) labor or anti-labor activities
 - c) boycotts
 - d) picketing
 - e) strikes
 - f) demonstrations
 - g) the development of strategies to influence legislation or rulemaking; or
3. disseminate information about such policies or activities.

Nothing contained herein prohibits the training of attorneys, paralegals, clients, lay advocates, or others involved in the representation of eligible clients necessary for preparing them:

1. to provide adequate legal assistance to eligible clients; or
2. to provide advice to eligible clients as to their legal rights.

No Program funds may be used to train participants to engage in activities prohibited by the Act, other applicable Federal law, or LSC regulations, guidelines or instructions.

G. Organizing.

No LSC funds nor funds made available by private entities may be used to initiate the formation, or to act as an organizer, of any association, federation, labor union, coalition, network, alliance or other similar entity.

The above prohibition does not apply to:

1. informational meetings attended by persons engaged in the delivery of legal services at which information about new developments in law and pending cases or matters are discussed; or
2. organizations composed exclusively of eligible clients formed for the purpose of advising a legal services program about the delivery of legal services; or
3. the provision of legal advice or assistance to eligible clients who desire to plan, establish or operate organizations, such as by preparing articles of incorporation and bylaws.

H. Recordkeeping: non-LSC funded activities.

1. No LSC funds may be used to pay for administrative overhead or related costs associated with any activity set forth in Section D. of this policy.
2. Non-LSC funded expenditures related to activities as set forth in Section D. shall be separately documented.
3. The Program shall submit semi-annual reports describing any activities engaged in pursuant to Section D., together with such supporting documentation as specified by LSC.

CENTRAL JERSEY LEGAL SERVICES, INC.

POLICY ON REPRESENTATION IN CERTAIN EVICTION PROCEEDINGS

As a recipient of funding from the Legal Services Corporation, Central Jersey Legal Services, Inc. is required to adopt a policy to ensure that representation is not provided in certain public housing eviction proceedings. The purpose of this policy is to comply with that requirement.

Central Jersey Legal Services, Inc. shall not provide representation defending any person in a proceeding to evict that person from a public housing project if:

- (a) the person has been charged with or, has been convicted of the illegal sale, distribution or manufacture of a controlled substance as defined in § 102 of the Controlled Substances Act (21 USC 802), or possession of a controlled substance with the intent to sell or distribute, and
- (b) the eviction proceeding is brought by a public housing agency on the basis that the illegal drug activity for which the person has been charged or for which the person has been convicted, threatens the health or safety of other tenants residing in the public housing project or employees of the public housing agency.

For the purposes of this policy, a person is considered to have been "charged with" the illegal sale or distribution of a controlled substance, if a criminal proceeding has been instituted against the person by a governmental entity with the authority to initiate such proceeding and such proceeding is pending.

Reviewed and approved by the Board of Trustees of Central Jersey Legal Services, Inc.
on September 17, 2003

James A. Tarella, Secretary

CENTRAL JERSEY LEGAL SERVICES, INC.**POLICY ON LEGAL ASSISTANCE TO ALIENS**

- I. As a recipient of funding of Legal Services Corporation, Central Jersey Legal Services, Inc. (Program) is required to adopt a policy to ensure that it provides legal assistance only to citizens of the United States and eligible aliens. The purpose of this policy is to comply with that requirement. Therefore, except as set forth herein, no services shall be provided directly or indirectly, to a non-U.S. citizen; nor may services be provided to an eligible client if the direct beneficiary of those services is a non-U.S. citizen and the eligible client derives no benefit. However, nothing contained herein prohibits the Program from using its normal intake and referral procedures for non-U.S. citizens in the same manner as such would be utilized for other classes of ineligible applicants.
- II. A non-citizen resident of the United States is eligible for legal assistance if he/she falls within one of the following seven categories:
 - A. lawfully admitted for permanent residence as an immigrant pursuant to 8 USC 1101(a)(20);
 - B. married to a U.S. citizen, or is a parent of a U.S. citizen, or is an unmarried child under 21 years of age of a U.S. citizen, and has filed for adjustment of status to permanent resident which application has not been rejected (i.e., denied and not subject to further administrative review);
 - C. lawfully present in the U.S. pursuant to: refugee admission (8 USC 1157); or asylum admission (8 USC 1158); or conditional entry before April 1, 1980 because of persecution or fear of same on account of race, religion, political opinion or because of being uprooted by catastrophic natural calamity (8 USC 1153(a)(7));
 - D. lawfully present in the U.S. due to withholding of deportation (8 USC 1253(h));
 - E. lawfully present in the U.S. as a special agricultural worker whose status has been adjusted to that of temporary resident;
 - F. lawfully present in the U.S. as a nonimmigrant agricultural worker admitted pursuant to 8 USC 1101 (a)(15)(H)(ii), and the legal assistance sought pertains to wages, housing, transportation, or other employment rights as provided in the contract under which the nonimmigrant worker was admitted.
 - G. lawfully present in the U.S. as a replenishment agricultural worker pursuant to § 210A(c) of the Immigration and Naturalization Act.

III. Verification of citizenship or alien status.

- A. A U.S. citizen applying to the Program for services shall attest in writing to his/her citizenship at the time of initial application. No documentation of U.S. citizenship is required unless the Program has reason to doubt the applicant's declaration in which event an original or a certified copy of one of the following forms of documentation shall be presented:
1. U.S. passport;
 2. birth certificate;
 3. naturalization certificate;
 4. commuter status card (INS I-178);
 5. citizen identification card (INS I-197);
 6. baptismal certificate showing place of birth in the U.S. and date of baptism within two months of birth;
 7. if none of the above is available, an affidavit of a third party (not a Program employee) who can produce proof of his or her own citizenship, attesting to the applicant's citizenship.
- B. A non-U.S. citizen who is determined to be eligible for Program services pursuant to Section II above shall, prior to the commencement of services, present either an original or certified copy of documentation of his/her status as fully described in the "Alien Eligibility Form" annexed hereto.
- C. The program can provide representation prior to the receipt of required documentation if an emergency exists and:
1. the client cannot come to the office or submit documentation prior to the commencement of representation, the necessary information is obtained orally, and written documentation is submitted as soon as possible thereafter; or
 2. the client cannot immediately produce documentation, but does designate in writing the category of eligibility which applies, the nature of the documentation that will be provided and that the documentation will be submitted as soon as possible.
- D. Assistance provided by the Program prior to the receipt of required documentation is to be limited to that which is necessary to deal with an emergency. Failure by the client to thereafter produce the required documentation will necessitate discontinuance of services consistent with the requirements of professional responsibility, as soon as the emergency no longer exists.
- E. No verification of citizenship or alien status is required when the only service provided consists of brief advice and consultation over the telephone.

IV. Alteration of alien status or change in circumstances during a period of representation.

The Program shall discontinue its representation of an existing client, consistent with an attorney's professional responsibility, when the client, due to a change in circumstances, becomes ineligible.

V. Recordkeeping responsibilities.

The Program shall maintain records sufficient to document compliance with this policy and the requirement of 45 CFR 1626.

VI. Use and confidentiality of records.

A. The Program shall make available to LSC information pertaining to a determination of alien eligibility when such is required to properly monitor the Program's actions in complying with Federal regulations; however, all names and other identifying information shall be deleted from the records so as to protect the identity of clients and applicants for service;

B. Records shall be retained for three years or until resolution of all audit questions pertaining thereto, whichever is later.

VII. The "Alien Eligibility Form" annexed hereto is a part of this Policy and is incorporated herein.

VIII. Exceptions:

The restrictions on providing legal assistance contained in this policy are not applicable to the following persons:

A. citizens of any of the following Pacific Island entities:

- (i) Commonwealth of the Northern Marinas;
- (ii) Republic of Palau;
- (iii) Federated States of Micronesia;
- (iv) Republic of the Marshall Islands;

B. Canadian-born American Indians at least 50% Indian by blood;

C. members of the Texas Band of Kickapoo.

D. Victims of battery or extreme cruelty:

- (i) A person who has been battered or subjected to extreme cruelty in the United States by a spouse or a parent, or by a member of the spouse's or parent's family residing in the same household as the person and the spouse or parent consented or acquiesced to such battery or cruelty; provided that only non-LSC funds are used to provide legal assistance, and that the legal assistance is directly related to the prevention of, or obtaining relief from the battery or cruelty
- (ii) A person whose child has been battered or subjected to extreme cruelty in the United States by a spouse or a parent of the person (without the active participation of the person in the battery or extreme cruelty), or by a member of the spouse's or parent's family residing in the same household as the person and the spouse or parent consented or acquiesced to such battery or cruelty, and the person did not actively participate in such battery or cruelty; provided that only non-LSC funds are used to provide legal assistance, and that the legal assistance is directly related to the prevention of, or obtaining relief from the battery or cruelty.

E. Indigent foreign nationals who seek assistance pursuant to the Hague Convention on the Civil Aspects of International Child abduction and the Federal implementing statute, the International Child Abduction Remedies Act, 42 U.S.C. 11607(b), provided that they are otherwise financially eligible.

F. Victims of trafficking:

- (i) A person who has been subject to sex trafficking in which a commercial sex act is induced by force, fraud or coercion, or in which the person induced to perform such an act has not attained 18 years of age.
- (ii) A person who has been subject to the recruitment, harboring, transportation, or provision of labor or services through the use of force, fraud or coercion subject to involuntary servitude, peonage, debt bondage or slavery.

(Note: Victims of Trafficking over 18 years of age must be certified by the Department of Health & Human Services' Office of Refugee Resettlement.)

Reviewed and approved by the Board of Trustees of Central Jersey Legal Services, Inc.
on September 17, 2003

James A. Tarella, Secretary

CENTRAL JERSEY LEGAL SERVICES, INC.

POLICY ON SUBGRANTS AND DUES

I. SUBGRANTS

- A. Central Jersey Legal Services, Inc. (Program) will not transfer any of its Legal Services Corporation (LSC) funds to any other organization which provides services supported by and relating to the Program's activities, which services would otherwise be conducted by the Program itself, unless it first submits the terms, conditions and amount of the transfer in writing to LSC and thereafter receives written approval for same. Excluded from this requirement is any transfer of funds consisting of payment for purchase of goods and/or services from vendors, in the course of business, which the Program would not normally provide itself. Also excluded are "fee for service" arrangements with members of the private Bar (i.e. private attorneys representing clients on a contract or judicare basis) unless the arrangement involves an expenditure exceeding \$25,000.00.
- B. If no action is taken by LSC within 45 days of a Program request for transfer of funds, the Program will provide a second notice to LSC. If no action is taken by LSC within 7 days from receipt of that notice, the Program may consider the request approved.
- C. All subgrants shall provide for the following:
 - 1) one year maximum funding;
 - 2) recapture by the Program of any unspent funds at the end of the grant year;
 - 3) orderly termination or suspension of the subgrant if the Program's funds are terminated or suspended;
 - 4) written approval from LSC if there is to be any substantial change in the work program of the subgrantee or if there is to be an increase or decrease in subgrant funding exceeding 10%;
 - 5) written notice to LSC if there is to be any minor change in the work program of the subgrantee or if there is to be an increase or decrease in subgrant funding less than 10%;
 - 6) the same oversight rights for LSC over the subgrantee as it has over the Program;

- 7) that all funds transferred to the subgrantee shall be subject to the same audit and financial requirements as funds spent directly by the Program.

II. DUES

No LSC funds shall be used for the payment to any private or nonprofit organization on behalf of the Program or any individual to be a member thereof, or to acquire voting or participatory rights therein, unless such dues are mandated as a requirement of practice by a governmental organization.

III. CONTRIBUTION OF LSC FUNDS

The Program shall make no contribution or gifts of LSC funds to any other organization or individuals.

IV. ACCOUNTING REQUIREMENTS

- A. The Program will include, as a part of its annual audit, any audit received from a Program subgrantee of LSC funds, or will submit this audit as an addendum to the Program's audit if such was already submitted.
- B. If the Program itself is a subgrantee of LSC funds, such funds shall be accounted for in the annual audit, and a copy of this audit shall be provided to the source of the funds (i.e. the subgrantor).
- C. If the Program itself is a recipient of LSC funds in the form of fees or dues from another LSC funded source, such funds shall be included in the Program's audit as LSC funds.

V. TAX SHELTERED ANNUITIES, RETIREMENT ACCOUNTS, PENSIONS

Nothing contained herein shall apply to or otherwise affect any payment by the Program on behalf of its employees for the purpose of contributing to or funding a tax sheltered annuity, retirement account, or pension fund.

Reviewed and approved by the Board of Trustees of Central Jersey Legal Services, Inc.
on September 17, 2003

James A. Tarella, Secretary

CENTRAL JERSEY LEGAL SERVICES, INC.

POLICY ON REDISTRICTING

As a recipient of Legal Services Corporation funds, Central Jersey Legal Services, Inc. (Program) is required to adopt a policy to ensure that the Program does not engage in redistricting activities. Therefore, it is the policy of Central Jersey Legal Services, Inc. not to make available any funds, personnel, or equipment for use in advocating or opposing any plan or proposal, or to represent any party or to participate in any other way in litigation related to redistricting.

The term "redistricting" means any effort, directly or indirectly, that is intended to or would have the effect of altering, revising, or reapportioning a legislative, judicial, or elective district at any level of government, including influencing the timing or manner of the taking of the census.

This policy does not prohibit any litigation brought by the Program under the Voting Rights Act of 1965, as amended, 42 U.S.C. 1971 *et seq.*, provided such litigation does not involve redistricting.

Reviewed and approved by the Board of Trustees of Central Jersey Legal Services, Inc.
on September 17, 2003

James A. Tarella, Secretary

CENTRAL JERSEY LEGAL SERVICES, INC.**POLICY ON REPRESENTATION OF CLIENTS IN CRIMINAL PROCEEDINGS**

Except as specifically provided for in this Policy statement, Central Jersey Legal Services, Inc. (Program) will provide no legal assistance to any person in a criminal proceeding. A "criminal proceeding" is that which involves an offense for which a sentence of imprisonment for more than six months is authorized. Motor vehicle offenses, disorderly persons offenses and petty disorderly persons offenses are not "criminal proceedings."

Legal assistance in criminal proceedings may be provided if authorized by the governing body of the Program after a determination is made that such is consistent with the Program's primary responsibility to provide legal assistance to eligible clients in civil matters, but only if such representation is provided pursuant to Court appointment made under a statute, court rule or court practice that applies equally to all attorneys in the jurisdiction.

Legal assistance in criminal proceedings may also be provided when professional responsibility requires such in a criminal matter arising out of a transaction in which an eligible client is being, or has been, represented by the Program. In those circumstances in which representation will be provided pursuant to this policy, such representation shall be undertaken only after receiving approval of the Executive Director of the Program.

3/19/2003

45 CFR 1615

**POLICY ON REPRESENTATION OF CLIENTS IN ACTIONS COLLATERALLY
ATTACKING CRIMINAL CONVICTIONS**

No Legal Services Corporation funds will be used to provide legal assistance in an action in the nature of habeas corpus collaterally attacking a criminal conviction if the action is brought against an officer of a court, a law enforcement official, or a custodian of an institution for persons convicted of crimes and alleges the conviction is invalid because of any alleged acts or failure to act by an officer of a court or law enforcement official.

However, representation may be provided to challenge a conviction resulting from a criminal proceeding in which the defendant received representation from the Program pursuant to LSC Regulations, or pursuant to a court appointment made under a statute or a court rule or practice of equal applicability to all attorneys in the jurisdiction, if authorized by the Program after a determination that it is consistent with the primary responsibility of the Program to provide legal assistance to eligible clients in civil matters.

CENTRAL JERSEY LEGAL SERVICES, INC.

POLICY ON HIRING OF ATTORNEYS

It is the desire of Central Jersey Legal Services, Inc. (the Program) to promote a mutually beneficial relationship between it, the Community, and the local Bars of Mercer, Middlesex and Union Counties when hiring professional staff, while insuring the hiring of highly qualified attorneys. To those ends, the following policy applies.

A) Qualifications

The following factors shall be considered in the hiring of attorney staff:

- 1) academic training and performance,
- 2) nature and extent of prior legal experience,
- 3) knowledge and understanding of legal problems and needs of the poor,
- 4) prior work experience in the client community or in other programs for the poor,
- 5) ability to communicate with the client community, including the ability to speak in the primary language of that community, where significant numbers of clients speak a language other than English,
- 6) cultural similarity with the client community.

Additional qualifying factors may be imposed when necessary to properly fill an attorney vacancy.

If after considering all applicable qualifying factors, two or more applicants appear equally qualified, preference shall be given to any such applicant who resides in the service area.

B) Notice of Vacancy

Before hiring an attorney the Program shall provide notice of the vacancy to the organized Bars of Mercer, Middlesex and Union Counties and to other appropriate organizations having knowledge of the legal needs of the eligible client community, supplying the qualifications for the position and seeking recommendation for same.

C) Non-discrimination and affirmative action

In filling any attorney vacancy the Program shall follow in all respects its Policy on Non-discrimination. Further, affirmative steps shall be taken to ensure equal employment opportunity to all persons.

CENTRAL JERSEY LEGAL SERVICES, INC

POLICY ON CLASS ACTIONS

As a recipient of funding from the Legal Services Corporation, Central Jersey Legal Services, Inc. (Program) is required to adopt a policy to ensure that the Program does not initiate or participate in class actions. Therefore, it is the policy of the Program not to initiate or participate in any class action.

The term "class action" means a law suit filed as, or otherwise declared by the court having jurisdiction over the case to be, a class action pursuant to Rule 23 of the Federal Rules of Civil Procedure or New Jersey Court Rule 4:32.

The term "initiating or participating in any class action" means any involvement at any stage of a class action prior to or after an order granting relief, including acting as amicus curiae, co-counsel or otherwise providing representation relating to a class action. It does not include representation of an individual client seeking to withdraw from or opt out of a class or obtain the benefits of relief ordered by the court, or non-adversarial activities, including efforts to remain informed about, or to explain, clarify, educate or advise others about the terms of an order granting relief.

POLICY ON ENFORCEMENT PROCEDURES

In order to insure uniform and consistent interpretation and application of the Legal Services Corporation Act (the Act) and to prevent a question of whether the Act has been violated from becoming an ancillary issue in any case undertaken by Central Jersey Legal Services, Inc. (the Program) this policy establishes a systematic procedure for enforcing compliance with the Act.

- I. A complaint that the Program or a Program employee has violated the Act may be made:
 - A. By a client or applicant for service, pursuant to the Program's "Policy on Client Grievance Procedure;"
 - B. By a member of the public, by lodging a complaint with the Program Executive Director, the Board of Trustees' Grievance Committee, or with the Legal Services Corporation.
- II. All Program employees shall be advised of their responsibilities under the Act.
- III. Determination of the existence of a violation and assessment of sanction.
 - A. All employees other than the Program Executive Director:
 - 1) If a complaint is lodged pursuant to Part I against a Program employee, the Executive Director, or in his/her absence a Deputy Director, shall assess the merits of the complaint to determine if a violation has occurred and, if so, if discipline is warranted;
 - 2) If it is determined that there has been a violation that merits discipline, a determination will then be made as to the nature of the sanction to be imposed; discipline may consist of an administrative reprimand (for minor intentional violations, or where other mitigating circumstances appear), up to and including suspension or discharge;
 - 3) If the involved employee is a member of the Program's bargaining unit (i.e. the "Union)," the employee shall be disciplined in accordance with the provisions contained in the collective bargaining agreement (i.e. the "Contract") between the Union and the Program, and all appeal remedies and requirements contained therein shall apply;

- 4) If the involved employee is not a Union member, the following shall apply;
- (a) The Executive Director, or in his/her absence a Deputy Director, shall provide to the involved employee written notice specifying the details of the alleged infraction and the disciplinary action that is contemplated as a result;
 - (b) Within five (5) days of the receipt of this notice, the employee may request a meeting with the Executive Director or Deputy Director to attempt to resolve the matter; the employee and/or the Program may present witnesses in an effort to clarify the facts; the meeting will be held promptly after the request for same is made;
 - (c) Within five (5) days of the informal meeting, the Program shall provide to the employee its findings and decision;
 - (d) If the employee is dissatisfied with the decision rendered, a request may be made for a hearing before the Grievance Committee of the Board of Trustees; this request shall be made in writing to the Program within five (5) days of receipt of the informal meeting decision, and the hearing before the Grievance Committee shall be held within a reasonable time thereafter;
 - (e) The employee and/or the Program may present witnesses at the Grievance Committee hearing, and the Rules of Evidence shall apply to the same extent as if this were a governmental administrative hearing;
 - (f) The Grievance Committee shall issue a written decision promptly thereafter and this decision shall be final, unless the full Board of Trustees elects to review it, either on its own motion or at the request of the employee, which request must be made in writing to an Officer of the Board within ten (10) days after the receipt of the Grievance Committee decision;
 - (g) Nothing contained herein prohibits the Program from implementing immediate discipline if such is deemed reasonable and necessary.

B. Program Executive Director:

- 1) If a complaint is lodged pursuant to Part I against the Program Executive Director, this complaint shall immediately be brought to the attention of the Grievance Committee of the Board of Trustees;
- 2) The Grievance Committee shall investigate the complaint and meet with the Executive Director, if it deems such is necessary, in an effort to resolve the

matter;

- 3) Within a reasonable time, the Committee shall inform the Executive Director, in writing, of its findings and decision; if a violation is found to have occurred, and if discipline is warranted, the Committee shall provide a copy of its decision to the full Board and make a recommendation as to discipline;
- 4) Within ten (10) days of receipt of the Committee's decision, the Executive Director may request a hearing before the full Board; this request must be made in writing and delivered to any Board member, who shall immediately transmit the request to a Board Officer; if no such request is timely made, the decision of the Committee shall be final and its recommended discipline shall be implemented;
- 5) The full Board hearing shall be held within a reasonable time after its request; the Executive Director and/or the Board may present witnesses, and the Rules of Evidence shall apply to the same extent as if this were a governmental administrative hearing;
- 6) The Board shall issue its written decision promptly thereafter which decision shall be final;
- 7) Nothing contained herein prohibits the Board of Trustees from implementing immediate discipline if such is deemed reasonable and necessary.

IV. Before suspending or terminating any Program employee for a violation of the LSC Act or Regulations, the Program must consult with the Legal Services Corporation to insure that the interpretation of the Act is consistent with LSC policy.

CENTRAL JERSEY LEGAL SERVICES, INC.

POLICY ON DISCLOSURE OF INFORMATION

It is the policy of Central Jersey Legal Services, Inc. (the Program) to afford to the public information that is a valid subject of public interest in Program activities. Consequently, appropriate access to the Legal Services Corporation Act, rules, regulations, and guidelines, as well as the Program's written policies and guidelines, together with the names and office addresses of the members of the Program's governing body, shall be available to any member of the public who requests same, for inspection and review. The Program reserves the right to charge the requestor for the reasonable costs of photocopying such material.

Any request for such information shall be conveyed to the Program Executive Director or his/her designee, who will determine if the information sought is a proper subject of public access. If it is, arrangements shall be made to afford the requestor a reasonable opportunity for inspection. If a determination is made that the information sought is not required to be disclosed pursuant to this Policy, but that the Legal Services Corporation may be required to disclose same pursuant to 45 CFR 1602 (implementing the Freedom of Information Act), the requestor shall be informed as to how to make such a request directly to the Legal Services Corporation.

Nothing contained herein requires disclosure of:

- a) any information furnished to the Program by a client;
- b) the work product of a Program employee;
- c) any material used by the Program in providing representation to clients;
- d) any matter that is related solely to the internal personnel rules and practices of the Program;
- e) personnel, medical or similar files.
- f) any information deemed confidential or privileged.
- h) home addresses of members of the Board of Trustees.

Policy on Priorities in the Use of Resources

Purpose

This policy is to ensure that the Program adopts written priorities for the types of cases and matters, including emergencies, to which Program staff will limit their commitment of time and resources.

Establishing priorities

The Board of Trustees shall adopt a written statement of priorities, pursuant to the procedures set forth below, that determines the cases and matters which may be undertaken by the Program.

Procedures

An appraisal of eligible clients' needs, and their relative importance, based on information received from potential or current eligible clients, shall be conducted in a manner reasonably calculated to obtain the views of all significant segments of the client population. The appraisal shall also include and be based upon information from the Program's staff, Board of Trustees, the private bar, and other interested persons. The appraisal should also address the need for outreach, training of Program staff, and support services.

In addition to the appraisal, the Program shall consider the following factors in establishing priorities:

1. The suggested priorities promulgated by the Legal Services Corporation;
2. The population of eligible clients in the service area, including all significant segments of that population with special legal problems or special difficulties of access to legal services;
3. The resources of the Program;
4. The availability of other sources of free or low-cost legal assistance in a particular category of cases or matters;
5. The availability of other sources of training, support, and outreach services;
6. The relative importance of particular legal problems to the individual clients of the Program;
7. The susceptibility of particular problems to solution through legal processes;

8. Whether legal efforts by the Program will complement other efforts to solve particular problems in the area served;
9. Whether legal efforts will result in efficient and economic delivery of legal services; and
10. Whether there is a need to establish different priorities in different parts of the service area.

Emergencies

The Program shall adopt written procedures to guide it in undertaking emergencies that are not within priorities but require immediate legal action to (1) secure or preserve the necessities of life, (2) protect against or eliminate a significant risk to the health or safety of the client or immediate family members, or (3) address other significant legal issues that arise because of new and unforeseen circumstances.

Annual review

- (a) Priorities shall be set periodically and shall be reviewed by the Board of Trustees annually or more frequently if the Program has accepted a significant number of non-priority emergency cases.
- (b) The following factors should be among those considered in determining whether the Program's priorities should be changed:
 - (1) The extent to which the objectives of the Program's priorities have been accomplished;
 - (2) Changes in the resources of the Program;
 - (3) Changes in the size, distribution, or needs of the eligible client population; and
 - (4) The volume of non-priority emergency cases or matters handled in a particular legal area since priorities were last reviewed.

Signed written agreement.

All staff who handle cases or matters, or are authorized to make decisions about case acceptance, must sign a simple agreement indicating that the signatory:

- (a) Has read and is familiar with the priorities of the Program;
- (b) Has read and is familiar with the definition of an emergency situation and the procedures for dealing with an emergency that have been adopted by the Program; and
- (c) Will not undertake any case or matter for the Program that is not a priority or an emergency.

Reporting

- (a) The Executive Director shall report to the Board of Trustees on a quarterly basis information on all emergency cases or matters undertaken that were not within the Program's priorities, and shall include a rationale for undertaking each such case or matter.
- (b) The Program shall report annually to LSC, on a form provided by LSC, information on all emergency cases or matters undertaken which were not within the Program's priorities.
- (c) The Program shall submit to the LSC and make available to the public an annual report summarizing the review of priorities; the date of the most recent appraisal; the timetable for the future appraisal of needs and evaluation of priorities; the mechanisms which will be utilized to ensure effective client participation in priority-setting; and any changes in priorities.

Reviewed and approved by the Board of Trustees of Central Jersey Legal Services, Inc.
on September 17, 2003

James A. Tarella, Secretary

3/19/2003

45 CFR 1621

POLICY ON CLIENT GRIEVANCE PROCEDURE

It is the policy of Central Jersey Legal Services, Inc. to provide an effective remedy for any person who believes that legal assistance has been denied improperly, or who is dissatisfied with the assistance provided. The Board of Trustees of Central Jersey Legal Services, Inc. shall maintain a Grievance Committee composed of at least two attorneys and one client trustees to assure the effectiveness of this remedy.

At the time of the initial visit each client shall be advised that a complaint may be made if there is dissatisfaction with the services rendered or disagreement as to the client's eligibility for services, and instructions as to how to make this complaint will then be provided. Any employee of Central Jersey Legal Services, Inc. who receives such a complaint from a client shall immediately transmit this complaint to the Executive Director, Deputy Director or Office Manager. Promptly thereafter, the Executive Director or his designee shall meet with the complainant in an attempt to resolve the complaint informally.

Should informal resolution not be possible the complainant shall be advised of his right to submit an oral and written statement to the Grievance Committee of the Board of Directors, and of his right to have a person accompany him before that Board. Central Jersey Legal Services, Inc. shall transcribe a brief written statement, dictated by the complainant, for inclusion in the complaint file maintained by Central Jersey Legal Services, Inc..

The complainant shall also be advised that if he is dissatisfied with the Grievance Committee proceeding he may send a complaint directly to the Regional Office of the Legal Services Corporation, or to the Legal Services Corporation in Washington, D.C., and the appropriate addresses shall be furnished.

Central Jersey Legal Services, Inc. shall maintain a file containing every complaint and a statement of its disposition, and this shall be preserved for examination by the Legal Services Corporation. This file shall include any written statements submitted by the complainant.

POLICY ON NON-DISCRIMINATION

The purpose of this policy is to assure the right of all persons to work in, participate in, and receive the assistance provided by Central Jersey Legal Services, Inc. without regard to age, race, creed, color, religion, ancestry, marital status, gender, sexual preference, national origin, disability or any other consideration prohibited by law. These policies protect:

- (1) any person employed by or seeking employment with the Program,
- (2) any person being served by or seeking the assistance of the Program, and
- (3) any person participating in or seeking to participate in a policy-making, planning or advisory body of the Program.

A. Statement of Policies

1. Equal Opportunity in the Provision of Legal Services

It is the policy of Central Jersey Legal Services, Inc. to make no distinction in the provision of legal assistance to eligible persons because of age, race, color, creed, religion, ancestry, marital status, gender, sexual preference, national origin, disability or any other consideration prohibited by law.

2. Equal Opportunity in Employment

It is the policy of Central Jersey Legal Services, Inc. to seek and employ qualified persons, to provide equal opportunities in all aspects of employment, and to administer all personnel activities in a manner that will not discriminate against any person because of age, race, creed, color, religion, ancestry, marital status, gender, sexual preference, national origin, disability or any other consideration prohibited by law.

B. Program Practices

1. Provision of Legal Assistance

Central Jersey Legal Services, Inc. will not, on the ground of age, race, creed, color, religion, ancestry, marital status, gender, sexual preference, national origin, disability or any other basis prohibited by law:

- a) deny legal assistance to any eligible person;

- b) provide legal assistance to a person different in form or manner from that provided to others;
- c) treat differently any person in determining whether she or he is eligible for legal assistance;
- d) deny a person the opportunity to participate as a member of a policy-making, planning, or advisory body;
- e) establish legal services offices at locations with the purpose or effect of excluding persons from the benefits of legal assistance.
- f) deny benefits to, exclude from participation in or subject to discrimination, any qualified person because the Program's facilities are inaccessible to or unusable by disabled persons.

2. Hiring and Employment

(a) Recruitment

Except as required by Section 1006(b)(6) and 1007(a)(8) of the Legal Services Corporation Act, and Part 1616 of the Corporation Regulations, when any position for employment is available, the Program will seek qualified applicants without regard to age, race, creed, color, religion, ancestry, marital status, gender, sexual preference, national origin, disability or any other consideration prohibited by law, and any recruitment material or advertisements shall so state.

(b) Hiring, Placement, and Promotion

All hiring, placement, and promotion of applicants and employees will be made on the basis of individual ability, performance, and staffing needs, consistent with the commitment to equal opportunity. All hiring, placement, promotional activities will be monitored to assure that full consideration, as required by Program policy, has been given to all qualified minority, women and disabled applicants and employees.

(c) Benefits and Compensation

All compensation and fringe benefits, including access to training and educational programs for employees will be determined without regard to age, race, creed, color, religion, ancestry, marital status, gender, sexual preference, national origin, disability or any other consideration prohibited by law.

(d) Tests and Criteria

No employment tests or criteria that discriminate on the basis of age, race, creed, color, religion, ancestry, marital status, gender, sexual preference, national origin, disability or any other consideration prohibited by law shall be utilized. No pre-employment medical examination or inquiry with regard to disability may be utilized nor may there be any inquiry as to the nature or severity of same.

C. Accessibility and Usability of Facilities and Services

1. Physical Plant

New facilities rented or purchased by the Program shall be accessible to the handicapped. Prior to entering into any such agreement the Program will submit to LSC a statement certifying the same. If any such facilities not so accessible the Program will include in its statement to LSC:

- (a) a description of the efforts made to secure accessible space;
- (b) the reasons for selecting the inaccessible space and
- (c) the steps to be taken to make services available to the disabled persons. New facilities designed or constructed for the Program must be so accessible.

2. Special Assistance and Accommodations to Disabled Persons

(a) Auxiliary Aids

The Program will provide appropriate auxiliary aids to afford to disabled persons equal opportunity to benefit from the Program. These need not be available at all times but will be obtainable on reasonable notice, such as to include brailled and taped material, interpreters and telecommunications equipment for the deaf.

(b) Accommodations

The Program will make reasonable accommodations to the disability limitations of an applicant for employment or an employee unless such presents an undue hardship to the operation of the Program. Accommodations may include accessible and usable facilities, job or hour of work restructuring, and acquisition or modification of equipment. Undue

hardship factors include Program size, number and type of facilities, size of budget and nature and cost of the accommodation. Employment will not be denied a disabled person because a reasonable accommodation would be necessary.

(c) Services

Services will not be denied to a qualified disabled person at any Program office on the ground that there is a separate office available to handle disabled persons.

D. General Provisions

1. The Program will not participate in any contractual or other relationship with persons, agencies, organizations or entities if their practices discriminate on the basis of age, race, creed, color, religion, ancestry, marital status, gender, sexual preference, national origin, disability or any other consideration prohibited by law.
2. In each Program office a notice will be placed in a prominent location to the effect that the Program does not discriminate on the basis of age, race, creed, color, religion, ancestry, marital status, gender, sexual preference, national origin, disability or any other consideration prohibited by law.

E. Complaint Review Procedure

1. Internal Program Review

- (a) Any person who believes that he or she has been discriminated against in contravention of the within stated policy, or any person who believes that any group of individuals has been subject to a pattern and practice of such discrimination may request an informal meeting with the Program Executive Director. This request may be made to any Program employee, who shall immediately transmit the request to the Executive Director, a Deputy Director, or Managing Attorney. Promptly thereafter, the Executive Director or his or her designee shall meet with the complainant in an attempt to resolve the complaint informally.
- (b) Should informal resolution not be possible, the complainant shall be promptly advised that he or she may submit the complaint, either in writing or orally or both, to the Grievance Committee of the Board of Trustees, whose address shall be provided. The Grievance Committee shall conduct its proceedings promptly after receiving the complaint.

2. External Review

Any person who has proceeded through the internal program review set forth above and who continues to be dissatisfied may submit a complaint in writing to the Equal Employment Opportunity Commission, One Newark Center, 21st Floor, Newark, NJ 07102 (973-645-6383), or the New Jersey Department of Law and Public Safety, Division on Civil Rights, 140 E. Front Street, 6th Floor, PO Box 089, Trenton, NJ 08625 (609-292-4605).

3. Notification Requirements

- (a) The Program shall advise every complainant of the rights and remedies contained herein.
- (b) The Program shall, in writing, advise LSC of:
 - i. Any discrimination complaints filed pursuant to the internal program review procedure;
 - ii. Any discrimination complaints filed against it with local, state, or Federal civil rights enforcement agencies;
 - iii. Any discrimination complaints filed against in any court of law.

4. Non-Reprisals

No person shall be penalized or subjected to reprisals because of the submission of a complaint of discrimination.

Reviewed and approved by the Board of Trustees of Central Jersey Legal Services, Inc.
on September 17, 2003

James A. Tarella, Secretary

CENTRAL JERSEY LEGAL SERVICES, INC.

POLICY ON LEGAL ASSISTANCE TO ALIENS

- I. As a recipient of funding of Legal Services Corporation, Central Jersey Legal Services, Inc. (Program) is required to adopt a policy to ensure that it provides legal assistance only to citizens of the United States and eligible aliens. The purpose of this policy is to comply with that requirement. Therefore, except as set forth herein, no services shall be provided directly or indirectly, to a non-U.S. citizen; nor may services be provided to an eligible client if the direct beneficiary of those services is a non-U.S. citizen and the eligible client derives no benefit. However, nothing contained herein prohibits the Program from using its normal intake and referral procedures for non-U.S. citizens in the same manner as such would be utilized for other classes of ineligible applicants.
- II. A non-citizen resident of the United States is eligible for legal assistance if he/she falls within one of the following seven categories:
 - A. lawfully admitted for permanent residence as an immigrant pursuant to 8 USC 1101(a)(20);
 - B. married to a U.S. citizen, or is a parent of a U.S. citizen, or is an unmarried child under 21 years of age of a U.S. citizen, and has filed for adjustment of status to permanent resident which application has not been rejected (i.e., denied and not subject to further administrative review);
 - C. lawfully present in the U.S. pursuant to: refugee admission (8 USC 1157); or asylum admission (8 USC 1158); or conditional entry before April 1, 1980 because of persecution or fear of same on account of race, religion, political opinion or because of being uprooted by catastrophic natural calamity (8 USC 1153(a)(7));
 - D. lawfully present in the U.S. due to withholding of deportation (8 USC 1253(h));
 - E. lawfully present in the U.S. as a special agricultural worker whose status has been adjusted to that of temporary resident;
 - F. lawfully present in the U.S. as a nonimmigrant agricultural worker admitted pursuant to 8 USC 1101 (a)(15)(H)(ii), and the legal assistance sought pertains to wages, housing, transportation, or other employment rights as provided in the contract under which the nonimmigrant worker was admitted.
 - G. lawfully present in the U.S. as a replenishment agricultural worker pursuant to § 210A(c) of the Immigration and Naturalization Act.

III. Verification of citizenship or alien status.

- A. A U.S. citizen applying to the Program for services shall attest in writing to his/her citizenship at the time of initial application. No documentation of U.S. citizenship is required unless the Program has reason to doubt the applicant's declaration in which event an original or a certified copy of one of the following forms of documentation shall be presented:
1. U.S. passport;
 2. birth certificate;
 3. naturalization certificate;
 4. commuter status card (INS I-178);
 5. citizen identification card (INS I-197);
 6. baptismal certificate showing place of birth in the U.S. and date of baptism within two months of birth;
 7. if none of the above is available, an affidavit of a third party (not a Program employee) who can produce proof of his or her own citizenship, attesting to the applicant's citizenship.
- B. A non-U.S. citizen who is determined to be eligible for Program services pursuant to Section II above shall, prior to the commencement of services, present either an original or certified copy of documentation of his/her status as fully described in the "Alien Eligibility Form" annexed hereto.
- C. The program can provide representation prior to the receipt of required documentation if an emergency exists and:
1. the client cannot come to the office or submit documentation prior to the commencement of representation, the necessary information is obtained orally, and written documentation is submitted as soon as possible thereafter; or
 2. the client cannot immediately produce documentation, but does designate in writing the category of eligibility which applies, the nature of the documentation that will be provided and that the documentation will be submitted as soon as possible.
- D. Assistance provided by the Program prior to the receipt of required documentation is to be limited to that which is necessary to deal with an emergency. Failure by the client to thereafter produce the required documentation will necessitate discontinuance of services consistent with the requirements of professional responsibility, as soon as the emergency no longer exists.
- E. No verification of citizenship or alien status is required when the only service provided consists of brief advice and consultation over the telephone.

IV. Alteration of alien status or change in circumstances during a period of representation.

The Program shall discontinue its representation of an existing client, consistent with an attorney's professional responsibility, when the client, due to a change in circumstances, becomes ineligible.

V. Recordkeeping responsibilities.

The Program shall maintain records sufficient to document compliance with this policy and the requirement of 45 CFR 1626.

VI. Use and confidentiality of records.

A. The Program shall make available to LSC information pertaining to a determination of alien eligibility when such is required to properly monitor the Program's actions in complying with Federal regulations; however, all names and other identifying information shall be deleted from the records so as to protect the identity of clients and applicants for service;

B. Records shall be retained for three years or until resolution of all audit questions pertaining thereto, whichever is later.

VII. The "Alien Eligibility Form" annexed hereto is a part of this Policy and is incorporated herein.

VIII. Exceptions:

The restrictions on providing legal assistance contained in this policy are not applicable to the following persons:

A. citizens of any of the following Pacific Island entities:

- (i) Commonwealth of the Northern Marinas;
- (ii) Republic of Palau;
- (iii) Federated States of Micronesia;
- (iv) Republic of the Marshall Islands;

B. Canadian-born American Indians at least 50% Indian by blood;

C. members of the Texas Band of Kickapoo.

D. Victims of battery or extreme cruelty:

- (i) A person who has been battered or subjected to extreme cruelty in the United States by a spouse or a parent, or by a member of the spouse's or parent's family residing in the same household as the person and the spouse or parent consented or acquiesced to such battery or cruelty; provided that only non-LSC funds are used to provide legal assistance, and that the legal assistance is directly related to the prevention of, or obtaining relief from the battery or cruelty
- (ii) A person whose child has been battered or subjected to extreme cruelty in the United States by a spouse or a parent of the person (without the active participation of the person in the battery or extreme cruelty), or by a member of the spouse's or parent's family residing in the same household as the person and the spouse or parent consented or acquiesced to such battery or cruelty, and the person did not actively participate in such battery or cruelty; provided that only non-LSC funds are used to provide legal assistance, and that the legal assistance is directly related to the prevention of, or obtaining relief from the battery or cruelty.

E. Indigent foreign nationals who seek assistance pursuant to the Hague Convention on the Civil Aspects of International Child abduction and the Federal implementing statute, the International Child Abduction Remedies Act, 42 U.S.C. 11607(b), provided that they are otherwise financially eligible.

F. Victims of trafficking:

- (i) A person who has been subject to sex trafficking in which a commercial sex act is induced by force, fraud or coercion, or in which the person induced to perform such an act has not attained 18 years of age.
- (ii) A person who has been subject to the recruitment, harboring, transportation, or provision of labor or services through the use of force, fraud or coercion subject to involuntary servitude, peonage, debt bondage or slavery.

(Note: Victims of Trafficking over 18 years of age must be certified by the Department of Health & Human Services' Office of Refugee Resettlement.)

Reviewed and approved by the Board of Trustees of Central Jersey Legal Services, Inc.
on September 17, 2003

James A. Tarella, Secretary

CENTRAL JERSEY LEGAL SERVICES, INC.**POLICY ON SUBGRANTS AND DUES****I. SUBGRANTS**

- A. Central Jersey Legal Services, Inc. (Program) will not transfer any of its Legal Services Corporation (LSC) funds to any other organization which provides services supported by and relating to the Program's activities, which services would otherwise be conducted by the Program itself, unless it first submits the terms, conditions and amount of the transfer in writing to LSC and thereafter receives written approval for same. Excluded from this requirement is any transfer of funds consisting of payment for purchase of goods and/or services from vendors, in the course of business, which the Program would not normally provide itself. Also excluded are "fee for service" arrangements with members of the private Bar (i.e. private attorneys representing clients on a contract or judicare basis) unless the arrangement involves an expenditure exceeding \$25,000.00.
- B. If no action is taken by LSC within 45 days of a Program request for transfer of funds, the Program will provide a second notice to LSC. If no action is taken by LSC within 7 days from receipt of that notice, the Program may consider the request approved.
- C. All subgrants shall provide for the following:
 - 1) one year maximum funding;
 - 2) recapture by the Program of any unspent funds at the end of the grant year;
 - 3) orderly termination or suspension of the subgrant if the Program's funds are terminated or suspended;
 - 4) written approval from LSC if there is to be any substantial change in the work program of the subgrantee or if there is to be an increase or decrease in subgrant funding exceeding 10%;
 - 5) written notice to LSC if there is to be any minor change in the work program of the subgrantee or if there is to be an increase or decrease in subgrant funding less than 10%;
 - 6) the same oversight rights for LSC over the subgrantee as it has over the Program;

CENTRAL JERSEY LEGAL SERVICES, INC.

POLICY ON REDISTRICTING

As a recipient of Legal Services Corporation funds, Central Jersey Legal Services, Inc. (Program) is required to adopt a policy to ensure that the Program does not engage in redistricting activities. Therefore, it is the policy of Central Jersey Legal Services, Inc. not to make available any funds, personnel, or equipment for use in advocating or opposing any plan or proposal, or to represent any party or to participate in any other way in litigation related to redistricting.

The term "redistricting" means any effort, directly or indirectly, that is intended to or would have the effect of altering, revising, or reapportioning a legislative, judicial, or elective district at any level of government, including influencing the timing or manner of the taking of the census.

This policy does not prohibit any litigation brought by the Program under the Voting Rights Act of 1965, as amended, 42 U.S.C. 1971 *et seq.*, provided such litigation does not involve redistricting.

Reviewed and approved by the Board of Trustees of Central Jersey Legal Services, Inc.
on September 17, 2003

James A. Tarella, Secretary

CENTRAL JERSEY LEGAL SERVICES, INC.

POLICY ON REPRESENTATION IN CERTAIN EVICTION PROCEEDINGS

As a recipient of funding from the Legal Services Corporation, Central Jersey Legal Services, Inc. is required to adopt a policy to ensure that representation is not provided in certain public housing eviction proceedings. The purpose of this policy is to comply with that requirement.

Central Jersey Legal Services, Inc. shall not provide representation defending any person in a proceeding to evict that person from a public housing project if:

- (a) the person has been charged with or, has been convicted of the illegal sale, distribution or manufacture of a controlled substance as defined in § 102 of the Controlled Substances Act (21 USC 802), or possession of a controlled substance with the intent to sell or distribute, and
- (b) the eviction proceeding is brought by a public housing agency on the basis that the illegal drug activity for which the person has been charged or for which the person has been convicted, threatens the health or safety of other tenants residing in the public housing project or employees of the public housing agency.

For the purposes of this policy, a person is considered to have been "charged with" the illegal sale or distribution of a controlled substance, if a criminal proceeding has been instituted against the person by a governmental entity with the authority to initiate such proceeding and such proceeding is pending.

Reviewed and approved by the Board of Trustees of Central Jersey Legal Services, Inc.
on September 17, 2003

James A. Tarella, Secretary

Policy on Client Identity and Statements of Facts

Purpose:

It is the purpose of this policy to assure that in any matter where court litigation on behalf of a client, as a plaintiff, is contemplated, the identity of the client is made known to the adverse party during pre-complaint negotiations, and if there are no such negotiations then in the court complaint itself, and to assure that there are facts alleged by the client to support the activity engaged in.

Requirements:

Before engaging in pre-court complaint negotiations on behalf of a client who would be a plaintiff in a matter where court litigation is contemplated and, if negotiations are unsuccessful authorized by the client; or before filing a court complaint on behalf of a client or initiating or participating in court litigation on behalf of a client/plaintiff against an adverse party/defendant; the casehandler must:

- 1) provide the client/plaintiff's identity by name to the adverse party/defendant unless a court order has been entered protecting against such disclosure upon a finding of probable serious harm if disclosure is required and where notice has been provided to the adverse party of an opportunity for a hearing on this issue;
- 2) prepare a written, dated statement, in English and in a language the client/plaintiff understands, for the client's signature, which specifies the facts known to the client which support the claim, unless this would result in a delay which would cause harm to a significant safety, property or liberty interest of the client, in which event the activity on behalf of the client may proceed without the statement so long as it is obtained as soon as possible thereafter.

Access:

The statement referred to above shall have a cover sheet annexed to it and shall be delivered to the Executive Director or his/her designee for inclusion in the Program's central file maintained for that purpose; one copy shall be retained in the case file. These statements shall be made available to:

- 1) the Legal Services Corporation;
- 2) a Federal department or agency authorized to audit or monitor the Program;
- 3) an auditor or monitor Federally funded to audit or monitor on behalf of a Federal department or agency authorized to do so, or on behalf of the Legal Services Corporation.

No other party shall have any right of access to the statement except as such might be available as provided by a court's discovery rules.

Applicability:

This policy applies to:

- 1) Program staff;
- 2) private attorneys who are compensated by the Program to handle Program cases.

Recordkeeping:

Records shall be maintained to document compliance with the foregoing provisions.

NOTE:

- 1) This policy applies only to client plaintiffs, and not to client defendants. Nor does it apply to clients who are defendants asserting counterclaims.
- 2) This policy does not apply when litigation is not contemplated and when the only service contemplated is advice and brief service designed to resolve a matter through negotiation.
- 3) This policy does not apply to uncompensated pro bono attorneys.

Reviewed and approved by the Board of Trustees of Central Jersey Legal Services, Inc.
on September 17, 2003

James A. Tarella, Secretary

Policy On Representation of Incarcerated Persons

Purpose:

It is the purpose of this policy to ensure that the Program does not provide representation on behalf of certain incarcerated persons.

Prohibition:

The Program may not provide representation in any civil litigation on behalf of a person who is incarcerated, due to an arrest for or conviction of a crime, in any governmental facility maintained for that purpose, nor may the Program provide representation in any administrative proceeding challenging the conditions of incarceration.

Change in circumstance:

If a client becomes incarcerated after litigation has commenced, representation may continue if the anticipated duration of the incarceration is likely to be brief and the litigation is likely to outlast the incarceration. Incarceration of 3 months or less is presumed to be "brief."

If the incarceration is not expected to be brief and if representation is no longer permitted, the Program must use its best efforts to withdraw promptly. While this effort is under way, the Program may continue to provide representation, but no additional related claims may be filed unless failure to do so would jeopardize an existing claim or right of the client.

If a court denies the Program's request to withdraw, representation will continue as noted above, with proper documentation of the Program's effort to withdraw being maintained.

Recordkeeping:

Any Program attorney involved in litigation on behalf of an incarcerated client must provide a written report to the Program Executive Director indicating the efforts being made to withdraw from the litigation, and if no such efforts are under way, explaining the rationale for continued representation. Supplemental reports shall be submitted quarterly so long as the representation in the litigation and the incarceration continue.

NOTE:

- 1) This policy prohibits representation of clients in civil litigation, and in any administrative proceeding challenging the conditions of incarceration. It does not prohibit non-litigation related activities such as advice or brief service, nor does it prohibit representation in administrative hearings unrelated to the conditions of incarceration.
- 2) This policy does not restrict services to parolees, probationers, or incarcerated juvenile offenders who have not been charged as adults.
- 3) This policy does not restrict services to those who are in jail or otherwise detained for motor vehicle or disorderly convictions, or to those who have been arrested on an enforcement of litigant's rights motion, as these are not considered "crimes" in New Jersey.

Reviewed and approved by the Board of Trustees of Central Jersey Legal Services, Inc.
on September 17, 2003

James A. Tarella, Secretary

Policy Prohibiting Solicitation of Clients

Purpose:

The purpose of this policy is to ensure that Program personnel do not, through personal individual encounter, solicit any person to take legal action or become a client of the Program, and to prohibit Program representation of such an individual if that person would not have taken such action but for the act of solicitation.

Prohibition:

The Program may not provide representation to any person who is not presently a Program client if that representation and legal action directly results from a personal encounter initiated solely by a Program staff member to an individual wherein the staff member advises the person to secure an attorney or take legal action; nor may the Program refer that person to any other LSC recipient.

Permitted activities:

Nothing contained herein prohibits the Program from engaging in outreach, making public service announcements, disseminating community legal education material, giving presentations to groups who request same, or providing advice in a courthouse at the invitation of the court, the purpose for which is to provide information on legal rights, on Program services and on intake procedures utilized by the Program. Persons who seek representation as a result of the above activities may be represented if otherwise eligible.

NOTE:

This policy is designed to prevent Program "recruitment" of clients, and applies only when a Program staff person has spontaneously initiated (in person, by telephone, in writing, by fax, or by any other means) direct, one on one, contact with a specific individual to encourage that individual to engage in legal activities. If that occurs, representation is prohibited if the individual seeks Program representation as a result of that contact.

The policy is not designed to prohibit the Program from responding to requests for assistance nor is it to prohibit the general dissemination of information to groups or to the general public.

Reviewed and approved by the Board of Trustees of Central Jersey Legal Services, Inc.
on September 17, 2003

James A. Tarella, Secretary

Policy on Welfare Reform

Purpose:

It is the purpose of this policy to ensure that the Program does not participate in efforts to reform a Federal or State welfare system.

Definitions:

Federal or State welfare system: All of the provisions, except for the Child Support Enforcement provisions of Title III, of the Personal Responsibility Act¹, and subsequent legislation enacted by Congress or the States to implement, replace or modify key components of the Personal Responsibility Act or by States to replace or modify key components of their General Assistance or similar means-tested program conducted with State funding or established under State mandates.

Prohibition:

The Program shall not engage in activities designed to change a Federal or State welfare system.

Prohibited activities include litigation, participation in rule-making activities, and legislative or administrative lobbying engaged in directly or through grass roots efforts.

Permitted activities:

The Program may represent an eligible individual client who is seeking specific relief from a welfare agency.

Public rule-making exception:

The Program may use non-LSC funds to comment in a public rule-making proceeding, or to respond to a written request from a Federal, State, or local agency, legislative body or committee, or a member thereof, for information or testimony regarding welfare reform, but such activity must be consistent with the Regulation on lobbying, 45 CFR 1612.6(a)-(e).

Reviewed and approved by the Board of Trustees of Central Jersey Legal Services, Inc.
on September 17, 2003

James A. Tarella, Secretary

¹ Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 110 Stat. 2105 (1996)

Policy on Attorneys' Fees

Purpose:

It is the purpose of this policy to prohibit the Program and its employees from seeking and collecting Court or Agency ordered monetary compensation from unsuccessful adverse parties.

Prohibition:

Neither the Program, a Program employee, nor a private attorney paid by the Program to provide legal assistance to eligible clients under the PAI program or under any other arrangement, who has represented a prevailing party, may request, collect or retain monetary compensation from an adverse party when such is, or is to be, Ordered by a Court or Agency pursuant to Federal, State or Common law, including Orders approving settlement agreements which provide for the payment of such compensation.

However, the above prohibition does not apply to awards:

- 1) for cases filed prior to April 26, 1996, regarding any claim in the case existing at that time;
- 2) in court appointment cases where the appointment is pursuant to a practice equally applied to all attorneys in the jurisdiction and where compensation is paid under the same terms and conditions applied generally to attorneys practicing in that court;
- 3) if such constitutes a sanction imposed by the court and against the adverse party for a violation of court rules;
- 4) if such constitutes reimbursement of costs and expenses from the adverse party.

Accounting:

Compensation received and retained pursuant to any one of the above four exceptions must be recorded in the accounting period in which it was received, and must be allocated to the LSC fund account in the same proportion as the LSC funding of the case generating the compensation bears to the entire cost of the case. Such funds may thereafter be used for any purpose permitted by the LSC Act, regulations, and any other law in effect at the time of receipt.

Exception:

Nothing contained herein prohibits the Program from requesting and accepting from its client, reimbursement for out-of-pocket costs and expenses incurred in the case, and payable from any monetary damages or statutory benefits obtained, so long as the client has agreed to such, in writing, prior to incurring the expense. Further, the Program may require its client to pay court costs if the client does not qualify to proceed in forma pauperis.

Recordkeeping:

Program employees, and any private attorney paid by the Program to provide legal assistance to eligible clients, shall promptly report to the Program Executive Director his/her designee, the receipt of any compensation Ordered by a Court or Agency to be paid to the Program by an unsuccessful adverse party, or to be paid by such party as a sanction, and these reports shall be retained by the Program in an appropriate central file. A copy of such report shall be retained in the case file.

-
- NOTE:
- 1) The prohibitions contained herein relate only to fees and/or costs to be paid by an adverse party in the proceeding, the payment of which is the subject of, and mandated by, a court or administrative agency Order.
 - 2) The prohibitions in this policy do not apply to Pro Bono private attorneys representing eligible clients at the request of the Program so long as the Program is not compensating the Pro Bono attorney.

Reviewed and approved by the Board of Trustees of Central Jersey Legal Services, Inc.
on September 17, 2003

James A. Tarella, Secretary

POLICY ON ASSISTED SUICIDE, EUTHANASIA, AND MERCY KILLING**PURPOSE:**

The purpose of this policy is to ensure that the Program does not use any LSC funds for any assisted suicide, euthanasia or mercy killing activities as defined in this policy.

DEFINITIONS:

- (a) Assisted suicide means the provision of any means to another person with the intent of enabling or assisting that person to commit suicide.
- (b) Euthanasia (or mercy killing) is the act of means by one person to cause the death of another person for reasons assumed to be merciful, regardless of whether the person killed consents to be killed.
- (c) Suicide means the act or instance of taking one's own life voluntarily and intentionally.

PROHIBITION:

The Program shall not use any LSC funds to assist in, support, or fund any activity or service which has the purpose of

- (a) securing or funding any item, benefit, program, or service furnished for the purpose of causing, or the purpose of assisting in causing, the suicide, euthanasia, or mercy killing of any individual;
- (b) compelling any person, institution, or governmental entity to provide or fund any item, benefit, program, or service for such purpose; or
- (c) asserting or advocating a legal right to cause, or to assist in causing, the suicide, euthanasia, or mercy killing of any individual.

APPLICABILITY:

The prohibitions set forth above shall not apply to activities funded with non-LSC funds, and they shall not apply to or affect any limitation relating to:

- (a) the withholding or withdrawing of medical treatment or medical care;
- (b) the withholding or withdrawing of nutrition or hydration;
- (c) abortion; or
- (d) the use of items, goods, benefits, or services furnished for purposes relating to the alleviation of pain or discomfort even if they may increase the risk of death, unless they are furnished for the purpose of causing or assisting in causing death.

Reviewed and approved by the Board of Trustees of Central Jersey Legal Services, Inc.
on September 17, 2003

James A. Tarella, Secretary

Central Jersey Legal Services, Inc.

Policy on Disclosure of Case Information

As a recipient of Legal Services Corporation funds, Central Jersey Legal Services, Inc. (Program) is required to adopt a policy to ensure that the Program discloses to the public and to the Legal Services Corporation certain information on cases filed in court by attorneys employed by the Program.

The disclosure requirements of this policy apply only to:

1. actions filed on behalf of plaintiffs or petitioners;
2. the original filing of the case, except for appeals filed in appellate courts where the Program was not the attorney of record in the case below;
3. judicial appeal of administrative actions when such appeals are first filed in court.

The following information shall be disclosed for each case filed in court by Program attorneys:

1. the name and full address of each party to a case unless:
 - a) the information is protected by an order or rule of court, or by State or deferral law; or
 - b) the attorney reasonably believes that revealing such information would put the client of the Program at risk of physical harm;
 - c) the cause of action;
 - d) the name and full address of the court where the case is filed; and
 - e) the case number assigned to the case by the court.

The Program shall provide the information required above to LSC in semi-annual reports in a manner specified by LSC. Upon request, the Program shall make the required information available in written form to any persons and may charge reasonable mailing and copying fees.

Note: This policy does not apply to cases filed by private attorneys as part of the Program's Private Attorney Involvement activities as those attorneys are not employees of the Program.

Reviewed and approved by the Board of Trustees of Central Jersey Legal Services, Inc.
on September 17, 2003

James A. Tarella, Secretary

POLICY ON REPORTING CHILD ABUSE

Any staff having reasonable cause to believe that a child is being subjected to child abuse shall report such abuse to the Division of Youth and Family Services consistent with the provisions and requirements of the Rules of Professional Conduct and N.J.S.A. 9:6-8.10.

SEXUAL HARASSMENT POLICY

Sexual harassment is defined as any unwelcomed sexual advance, request for sexual favor, or other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submission or rejection of such conduct by an individual is used as the basis of any employment decision affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Employees or clients who believe they have been the subject of sexual harassment, should report the act immediately to the Program Executive Director or Deputy Director. Employees or clients who believe they have been the subject of sexual harassment by the Executive Director should notify the Chairperson of the Grievance Committee of the Board of Trustees.

The investigation of sexual harassment complaints shall be conducted in the strictest confidence under the direction of the Executive Director or his designee, or in the case of reports involving the Executive Director or his designee, or in the case of reports involving the Executive Director, under the direction of the Grievance Committee Chairperson.

No person shall be penalized or subjected to retaliation for filing a complaint of sexual harassment or for cooperating in the investigation of such a complaint.

Any employee of Central Jersey Legal Services, Inc. who is found after appropriate investigation to have engaged in sexual harassment of an employee or client will be subject to appropriate disciplinary action, including termination, as warranted by the circumstances.

POLICY ON CONFLICT OF INTEREST

It is the policy of Central Jersey Legal Services, Inc. (the "Program") that all staff and members of the Board of Trustees avoid situations in which their personal or professional interest could interfere with the performance of their responsibilities to the Program and its clients or result in their personal or professional gain at the expense of the Program or its clients. The procedure set forth below shall be followed to ensure that conflicts of interest, or the appearance of same, do not occur.

A. Disclosure

When any of the following situations exist or are about to occur, the staff member, officer or trustee must disclose the situation to the Executive Director of the Program.

- 1) A trustee is related to another member of the Board.
- 2) Any staff or trustee receives payment from the Program for any sub-contracts, goods, or services such as consultant, maintenance, construction or remodeling.
- 3) A staff or trustee is a member of the governing body of a contributor to the Program.
- 4) Any staff, trustee, or trustee's law firm represents a party with interests adverse to a client of the Program.

B. Prohibitions

Under no circumstances shall any of the following circumstances be permitted:

- 1) A trustee is related to a staff member.
- 2) A trustee is also a staff member.
- 3) A staff member supervises another staff member with whom he or she is related.

- 4) A staff member or trustee participates in the selection, award or administration of a procurement transaction in which federal or state funds are used where, to his/her knowledge any of the following individuals have a financial interest in the transaction:
 - a) the staff member or trustee,
 - b) a member of his/her immediate family,
 - c) his/her partner,
 - d) an organization in which any of the above is an officer, director or employee,
 - e) a person or organization with whom any of the above is negotiating or has any arrangement concerning prospective employment.
- 5) A staff member, trustee, or trustee's law firm represents a client with interests adverse to a client of the Program.

C. In addition to the provisions set forth above relating to financial conflicts of interest all staff members and trustees shall abide by the Rules of Professional Conduct adopted by the Supreme Court of New Jersey concerning conflicts of interest in the provision of services to clients.

D. Procedures

If the Executive Director determines that a conflict exists, or the appearance of same, the Executive Director shall provide opportunity for the staff member or trustee to take appropriate action to mitigate the problem. If that is not done, the Executive Director shall take reasonable action necessary to resolve the problem. All individuals involved in such a conflict who disagree with the action taken to resolve the problem may appeal the Executive Director's action to the Board of Trustees, except in instances involving conflicts of interest between a client of a Trustee or Trustee's firm, and a client of the Program, in which case the Executive Director's action shall be final.

If the person whose obligation to disclose is the Executive Director, or if it is the Executive Director who is, or appears to be, in conflict with the Program, reporting shall be made to, and enforcement action shall be taken by, the President of the Board of Trustees.

Drug Free Workplace Policy

Central Jersey Legal Services, Inc. is committed to providing an employment environment that is safe and provides appropriate motivation to ensure a creative and productive work force. To this end, CJLS endorses the philosophy that the work place should be free from the detrimental effects of illicit drugs. To ensure worker safety and workplace integrity, CJLS adopts the following Drug Free Workplace Policy.

CJLS prohibits the unlawful manufacture, possession, distribution, or use of controlled substances in the workplace by its employees.

Any employee convicted of violating any criminal drug statute while in the workplace will be subject to discipline up to and including termination. Alternatively, CJLS may require the employee to complete satisfactory participation in a drug abuse assistance or rehabilitation program sponsored by an approved Federal, State or local health, law enforcement, or other appropriate agency.

If an employee is convicted under any criminal drug statute for a violation occurring in the workplace, the employee is required to notify the Executive Director of the conviction no later than five (5) days after the conviction. The Executive Director will notify federal agencies from which it receives funding within 10 days of such a report and shall take appropriate action against such an employee within 30 days.

CASE ACCEPTANCE SCHEDULE

Central Jersey Legal Services, Inc.

Because CJLS does not have the resources to represent all of the applicants for its services who are financial eligible, the Board of Trustees of CJLS has adopted a Priority Statement governing the allocation of its limited resources. This Case Acceptance Schedule sets standards for application of that Priority Statement.

I. Consumer Case Schedule

CJLS will represent clients who are financially and otherwise eligible only in the following types of consumer cases:

AUTO LEASES

; BANKRUPTCIES, but only when bankruptcy will:

- a. protect the client's wages, house, or in extraordinary circumstances, car from execution;
- b. prevent the shut-off or allow restoration of the client's utilities;
- c. prevent the client's eviction on a long term basis; or
- d. retain or restore the client's driver's license when the client has a substantial need for a driver's license.

COLLECTION (Defendants, including repossessions, garnishment, levies.)

CREDIT ACCESS PROBLEMS

CREDIT PURCHASE OR CREDIT CARD PROBLEMS

DEBTOR HARASSMENT

FORECLOSURE

Only cases involving the client's primary residence.

LOANS OR INSTALLMENT PURCHASE AGREEMENTS

MEDICAL OR HOSPITAL BILL COLLECTIONS

SECONDARY MORTGAGES

UNFAIR SALES PRACTICES

UTILITIES (Billing, diversions, shut-offs.)

II. Family Case Schedule

CJLS will represent clients who are financially and otherwise eligible only in the types of family cases listed below. The level of representation we will provide for each type of case is also described below.

PLAINTIFFS' DOMESTIC VIOLENCE

Advice in all cases. Full representation only when: (a) the other side is represented by an attorney; or (b) extraordinary circumstances preclude the client from effectively presenting his or her claims without an attorney.

DEFENDANTS' DOMESTIC VIOLENCE

Advice if the client: (a) is referred by a domestic violence shelter; or (b) was our client before in a family law case. Full representation only if the client meets the criteria for advice and also appears to be a victim of domestic violence.

PLAINTIFFS' DIVORCES

Advice in all cases in which the client wants advice. Full representation only if the client is a victim of domestic violence within the past 18 months or the client is a victim of a violation of an FRO within the past 18 months.

Union County will continue to maintain a limited waiting list of no fault divorces for referral to Merck volunteer attorneys, and Mercer County will continue to do a pro se divorce workshop.

DEFENDANTS' DIVORCES

Advice in all cases. Full representation only if there is a substantial issue of custody, visitation, support or alimony and either: (a) the adverse party is represented by an attorney; or (b) extraordinary circumstances preclude the client from presenting his or her claims without an attorney.

CUSTODY/VISITATION

Advice in all cases. Full representation only if: (a) the adverse party is represented by an attorney; or (b) extraordinary circumstances preclude the client from presenting his or her claims without an attorney.

OBLIGEE SUPPORT

Advice in all cases. Full representation only if: (a) the adverse party is represented by an attorney; or (b) extraordinary circumstances preclude the client from presenting his or her claims without an attorney. However, full representation will not be provided if the client is on welfare unless the child support is likely to be high enough to allow the person to go off welfare.

OBLIGOR SUPPORT

Advice in all cases. Full representation only if extraordinary circumstances preclude the client from presenting his or her claims without an attorney.

SUPPORT ENFORCEMENT MOTIONS (OBLIGOR)

Advice in all cases. Full representation only when we are or will be representing the obligor with respect to termination or reduction of the order being enforced.

POST JUDGMENT MOTIONS

Advice in all cases, and pro se forms when appropriate. Full representation only if there is a substantial issue of custody, visitation, support, or alimony and either: (a) the adverse party is represented by an attorney; or (b) extraordinary circumstances preclude the client from presenting his or her claims without an attorney.

DYFS CASES

Evaluation for referral to Family Representation Project.

III. Housing/Welfare Case Schedule

CJLS will represent clients who are financially and otherwise eligible only in the types of housing and welfare cases listed below. Full representation will be provided unless otherwise noted.

HOUSING

AFFIRMATIVE BERZITO CLAIMS

Advice only, unless exceptional circumstance justify full representation.

BREACH OF CONTRACT TO RENT RESIDENTIAL PROPERTY

Advice only, unless the action is likely to secure the housing unit for the client.

DISCRIMINATION

Full representation will be provided only when the action is likely to secure or keep the housing unit for the client. In all other cases, the client will be given advice and referred to the Division on Civil Rights.

EJECTMENT

EVICTION DEFENSE

Only advice for simple defenses that the client can handle *pro se*. Also, only advice for defenses that would not defeat the dispossession action.

HABITABILITY DEFENSES TO EVICTION

Only advice for habitability defenses that do not threaten the client's health or safety.

HOMELESSNESS PREVENTION PROGRAM

ILLEGAL LOCKOUTS & DISTRRAINTS

Level of representation will be determined by the local office based on its experience with the particular landlord/tenant court involved.

OWNER FAILS TO MOVE IN AFTER EVICTING TENANT ON THAT GROUND

Advice only, unless CJLS represented the tenant in the underlying eviction case.

POST JUDGMENT ORDERS IN EVICTION CASES

Level of representation will be determined by the local office based on its experience with the particular landlord/tenant court involved.

RELOCATION

RENT COLLECTION SUITS

Advice only, unless the case has exceptional merit.

RENT CONTROL

Advice only, unless exceptional circumstances prevent the client from proceeding pro se.

RETURN OF SECURITY DEPOSIT SUITS

Advice only, unless exceptional circumstances justify full representation.

SECTION 8, PUBLIC HOUSING & OTHER FEDERALLY SUBSIDIZED HOUSING

In public housing grievance hearings, full representation will be provided only when there is a high likelihood that the matter can be resolved at the hearing.

UTILITY SHUT-OFFS

WELFARE

EXPUNGMENT

Full representation will only be provided only when the arrest or conviction record at issue is a current barrier to employment and a volunteer attorney is available to take the case.

TANF, GA, FOOD STAMPS, HEAP, MEDICAID/MEDICARE, PAAD, UTILITY ASSISTANCE, AND OTHER WELFARE PROGRAMS

UNEMPLOYMENT & STATE TEMPORARY DISABILITY

WELFARE OVERPAYMENT COLLECTION SUITS

IV. Senior/Disability Case Schedule

CJLS will represent clients who are financially and otherwise eligible only in the types of senior citizen and disability cases listed below. The level of representation we will provide for each type of case is also described below.

ADVANCE DIRECTIVES

Advice and pro se forms in all cases. Full representation only if extraordinary circumstance preclude the client for preparing the directive pro se.

FINANCIAL EXPLOITATION

Advice in all cases. Full representation only if the client has a compelling need for representation.

GUARDIANSHIPS

Advice in all cases. Full representation only if the client has a compelling need for the guardianship.

INSTITUTIONAL/RESIDENTIAL MENTAL HEALTH ISSUES

Middlesex County only.

NURSING HOME ISSUES

Only cases arising from the client's status as an applicant to or resident of a nursing home.

POWERS OF ATTORNEY

MERCER: Advice in all cases. Full representation only if the client is 60 years old or older.

MIDDLESEX AND UNION: Advice and pro se forms in all cases. Full representation only if the client has a compelling need for a power of attorney.

SSI/SSD (Denials, terminations & overpayments; concurrent SSI/SSD cases are treated as SSI cases.)

MERCER: Full representation, except that SSD denials for clients who are under 60 are referred to the private bar.

MIDDLESEX: Full representation, except that SSD denials for clients who are under 60, not HIV+, and not mental health clients are referred to the private bar.

UNION: Full representation, except that SSI and SSD denials for clients who are not HIV+ are referred to the private bar or SSI project.

STANDBY GUARDIANSHIPS

Advice in all cases. Full representation only if the client is HIV+.

WILLS

MERCER: Only for client who are 60 years old or older or are terminally ill and have minor children.

MIDDLESEX AND UNION: Only for clients who are either terminally ill and have minor children or are HIV+.

V. General Policies

In addition, the following general policies apply to all case acceptance decisions:

1. CJLS may deny, terminate, or seek leave to terminate representation when:
 - a. in its professional opinion, the client's claim or defense lacks substantial merit;
 - b. accepting or continuing representation would be inconsistent with CJLS's professional responsibilities;
 - c. CJLS receives insufficient advance notice to allow it to prepare the case adequately;
 - d. another attorney has appeared on the client's behalf and is willing or obligated to continue to represent the client;
 - e. representation is available to a client from some other free or affordable source;
 - f. the client is being sued for money damages but lacks substantial income or assets that would be subject to lawful execution to satisfy the claim; or

- g. the client's failure to cooperate with CJLS has significantly undermined its ability to effectively represent the client.
- 2. CJLS will not represent clients in the Small Claims Section. In Union County, which does not have a Small Claims Section, CJLS will not represent client in cases within the monetary limit of the Small Claims Section.
- 3. CJLS may waive any provision of this Case Acceptance Schedule in the interest of justice, in the broader interest of CJLS's client community, or when its application to a particular set of circumstances would be inconsistent with the Priority Statement.

Revenue	Grant
LSC Basic	\$874,592.25
LSC P.B.I. aka VAP	\$124,941.75
Treasury	\$445,902.00
State Sub-Grant	\$2,222,310.00
DYFS	\$118,978.00
Mental Health	\$104,251.00
Family Rep. Program (FRP)	\$88,200.00
Counties of CJLS	\$110,000.00
Anti Predatory Lending (MI)	\$3,333.00
Ryan White / HIV	\$54,060.00
Older Americans Act, Title III	\$223,090.50
Social Services Homeless (SSH)	\$21,744.00
Peer Grouping (PGR)	\$25,000.00
Community Development(Elz.)	\$7,500.00
United Way	\$134,190.00
IOLTA	\$614,364.00
Summer Intern LSNJ	\$21,000.00
Campaign for Justice	\$29,384.00
General Fund	\$68,228.52
SSI LSNJ	\$12,000.00
TOTAL	\$5,303,069.02

Grant Amounts	
Expenses	Amounts
AttorneySalaries	\$1,904,666.12
ParalegalsSalaries	\$673,364.32
OtherSalaries	\$758,780.21
Temps Salaries	\$2,835.00
Interns Salaries	\$30,000.00
Total Salaries	\$3,369,645.66
Health Insurance	\$585,881.24
Life Insurance	\$25,398.61
Dental Insurance	\$64,419.99
Long Term Disability	\$20,421.28
Pension	\$228,098.56
FICA Employer	\$255,877.61
SUI/SDI Employer	\$28,306.20
Worker's Comp.	\$13,334.00
Total Fringe	\$1,221,737.49
Total Personnel	\$4,591,383.15

Insurance-Bonding	\$2,816.00
Insurance-Fiduciary	\$0.00
Insurance Professional Liability	\$14,452.00
Insurance Office	\$8,809.00
Audit	\$35,500.00
Consultants	\$3,769.00
Contractors	\$19,837.00
Travel Staff In State	\$15,745.00
Travel Staff Out of State	\$987.00
Travel Board	\$75.00
Rent Office	\$188,146.56
Misc. Space Cost	\$2,400.00
Building Repair & Maintenance	\$15,206.00
Utilities	\$11,648.00
Mortgage Principal	\$6,747.00
Mortgage Interest	\$9,309.00
Capital Improvement	\$0.00
Parking	\$30,104.00
Office Supply	\$47,817.83
Postage	\$19,385.00
Rental/Lease Equipment	\$6,116.13
Equipment < \$5000	\$3,959.00
Equipment > \$5000	\$0.00
Furniture/Fixture > \$5000	\$0.00
Maintenance Contract	\$6,729.00
Repairs	\$1,766.68
Dues/Fees Office	\$9,993.40
Dues/Fees Staff	\$8,729.40
Training/Conference in State (Staff)	\$14,885.00
Training/Conference Out of State (Staff)	\$1,101.00
Training Board	\$100.00
Telephone	\$45,746.00
Library	\$46,491.00
Community Education	\$490.00
Bank Charges	\$1,400.00
Misc Expenditure	\$2,200.00
Advertisement	\$3,490.00
Litigation	\$17,415.40
General Interest & Penalties	\$0.00
Depreciation	\$0.00
Total Non Personnel	\$603,365.40

Amounts

Total Expenditure	\$5,194,748.55
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Operating Surplus/(Deficit): \$108,320.47

GLOSSARY

AG/DAG

Attorney General; Deputy Attorney General

ALJ

Administrative Law Judge; hearing officer for hearings in the Entitlements area

AOC

Administrative Office of the Courts

Campaign for Justice

LSNJ statewide fundraising initiative directed at the private bar

CDBG

Community Development Block Grant – Federal funding provided to local governments

CSR

Case Statistical Report providing data for cases closed in a set period

DCA

New Jersey State Department of Community Affairs

DYFS

Division of Youth and Family Services

DHS

State Department of Human Services

DFD

Division of Family Development; State Administration of Welfare

FUND BALANCE

Unexpended revenue

GA

General Assistance – Welfare Program for individuals

IOLTA

Interest on Lawyers' Trust Account. It is also the name of a substantial grant of funds for the provision of civil legal assistance to very low income residents of the state. [See "State Subgrant" this Glossary below.]

LSC

Legal Services Corporation

LEGAL SERVICES OF NEW JERSEY or LSNJ

State Support Center for Legal Services programs in New Jersey. Not LSC funded and therefore not subject to LSC restrictions. It is also the administrator of the IOLTA funding and, as well, the State Subgrant funds.

MERCK PROGRAM

Merck & Company maintains an active PAI relationship with CJLS. Its patent attorneys regularly accept bankruptcy, family and guardianship cases from CJLS. The corporation also makes CJLS a part of its corporate giving program.

NLADA

National Legal Aid and Defender Association. National lobbying organization for both legal services and public defenders.

OFFICE ON AGING

Local conduit for Title III funding

PAI

Private Attorney Involvement – LSC sponsored effort to increase participation of volunteer attorneys on provision of legal services to the poor.

RYAN WHITE

Federal funding to provide services to persons with AIDS or infected or affected with the HIV virus.

SSH

Social Services for the Homeless – Federal funding for homeless services.

STATE SUBGRANT

Currently the largest state grant for the provision of civil legal assistance to the state's poor. Since the late 1990's the State Subgrant and IOLTA funds comprise over 70% of funds for New Jersey's legal services programs. Both funds, IOLTA and the State Subgrant funds are administered by LSNJ

TANF

Temporary Assistance to Needy Families – Welfare Program for households with children.

TITLE III

Federal legislative source of funding to Senior Citizens legal services components.

VAWA

Violence Against Women Act – Federal funding for representation of victims of domestic violence